

**WARD:** Longford

**100270/FUL/20**

**DEPARTURE:** No

**Erection of a residential development (Use Class C3) for 367 units comprising five blocks between 6 and 10 storeys with associated access, parking and landscaping.**

Land Bound By Elsinore Road And Skerton Road, Stretford, M16 0WF

**APPLICANT:** CJM Investments Ltd

**AGENT:** Zerum

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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**The application has been reported to the Planning and Development Management Committee due to six or more objections being received contrary to Officer recommendation and has also been 'called in' for consideration by the Planning Committee by Councillor Jarman.**

**SITE**

The application relates to a 1.3 ha roughly triangular shaped site at the junction of Skerton Road and Elsinore Road in Stretford. The site was until recently occupied by various industrial buildings and silos associated with the site's former use as a producer of ingredients for bakery products. Originally known as Arcady Soya Mills the former buildings housed a factory, offices, laboratory and test bakery facilities for the marketing of the product, Arkady a bread improver. The site has now been largely cleared and predominantly comprises hardstanding enclosed by palisade fencing.

Immediately adjoining the site to the south is the site of CSM Bakery Solutions which produces bread and confectionary ingredients and used to form part of the wider Arkady site. This site is accessed off Elsinore Road to the north and down the western extent of the application site and contains manufacturing and warehousing space, silos and offices. Further south are two storey, semi-detached, terraced and detached residential properties on Lime Grove with further residential areas beyond.

The site is bounded to the north by Elsinore Road, beyond which is the Metrolink line extending out from Trafford Bar station to the northeast. Further north is Trafford Hall Hotel and curtilage beyond which is Talbot Road. To the northwest is Old Trafford Bowling Club and grounds.

To the west the site is bounded by a strip of land under separate ownership extending north-south from Elsinore Road and terminating close to the western end of Lime

Grove. Beyond this land is a vegetated buffer to the Metrolink line and to the southwest, the Metrolink Trafford Depot.

The site is bounded to the east by Skerton Road. To the east of the northern corner of the application site are two storey residential properties. Opposite the majority of the eastern boundary of the site are commercial units (Iceland, Superdrug and Worldwide Foods) and associated yard areas. Beyond this is a local shopping parade fronting Seymour Grove. Opposite the south-eastern corner of the site is Grove House which is a nine storey former office building which has been extended and converted into residential apartments situated at the junction of Skerton Road and Tennis Street.

The character of the area is mixed, comprising predominantly commercial, transport, office and industrial uses to the north, west and east. This includes the Worldwide Foods Store, Iceland and the Seymour Grove local shopping centre to the east. The character to the south, beyond the bakery building, is predominantly residential in nature.

The nearest listed buildings are Trafford Town Hall and White City Entrance Portal and Lodges although there are a number of non-designated heritage assets to the north of the site on Talbot Road.

## **PROPOSAL**

Planning permission is sought for a development comprising 367 residential units laid out in five blocks between 6 and 10 storeys in height. The application also applies retrospectively for the demolition of the industrial buildings that were on the site.

Of the five blocks, three are located in the southern half of the site (Blocks C, D and E) and are parallel to one another forming two internal streets within the site. Block E fronts Skerton Road to the east and Block C fronts the access road to the CSM site on the western side with the third (Block D) situated in between the two.

The remaining two blocks are linked at ground floor level and are at a roughly 45 degree angle in relation to one another. One block fronts Elsinore Road to the north (Block A), the other fronts Skerton Road to the east (Block B).

The heights of the various blocks are as follows:

- Block A (fronting Elsinore Road) – 7 storeys
- Block B – (fronting Skerton Road) 6, 8 and 10 storeys
- Block C (W edge) – 7 storeys
- Block D (central to Blocks C and E) – 7 storeys
- Block E (fronting Skerton Road) – 6 storeys

Block B would have a maximum height of 31.5 metres.

Two main vehicular and pedestrian entrances are provided into the site: one towards the centre of the site on Skerton Road, and another on Elsinore Road towards the north-west of the site. Separate vehicular access to the CSM Bakery Solutions site would be retained down the western edge of the site and this also serves six car parking spaces.

The main road frontage of Blocks A, B and C take the form of townhouses at ground and first floor levels and these have their own defensible space in the form of front gardens, paths and parking spaces. Entrance lobbies for upper floor flats are located on prominent corners and bin stores, plant space and bicycle storage and located on the ground floor of the accommodation blocks.

As well as the building frontages being articulated at first floor level to highlight the domestic scale of the townhouses at street level, the upper floors of the blocks are also articulated to provide visual interest and reduce massing at height. The tallest of the proposed blocks fronting Skerton Road has been broken down in three stages so that its height steps up from 6 storeys at the junction of Skerton Road and Elsinore Road to a maximum height of 10 storeys with an intervening 8 storey section.

The mix of housing types is as follows:

166 one bed apartments  
118 two bed apartments  
42 three bed apartments  
9 one bed 'townhouses'  
25 two bed 'townhouses'  
7 three bed 'townhouses'

Apartments of various sizes are located on each floor so as to encourage mixed communities.

Although they form part of the larger blocks the 'townhouse' units are accessed at ground level and have their own external curtilages. Where reference is made to 'townhouses' this is in terms of their external appearance as two storey and visually different in appearance to the rest of the apartment block not because they are physically separated from the rest of the block.

The design of the buildings has a similar theme but utilises minor variations to suit particular blocks. The design approach seeks to draw on various characteristics of local buildings - their scale, form and use of materials, in combination with more contemporary elements.

Brick, masonry and tiled elements, predominantly in red/pink/brown hues, will form the primary facing materials but there is also the potential to introduce options for terracotta, glazed brick or powder coated aluminium to match to provide variety and detailing.

An external communal courtyard space is proposed in the centre of the site in addition to a 'clubhouse' building at the rear of Block A to provide internal communal space for occupiers of the development. A gym is also proposed at ground floor level to the rear of Block B.

67 no. car parking spaces are proposed on the site and this includes 5 accessible parking spaces which are provided in each parking row area to ensure accessibility to all the blocks. The 'townhouses' have dedicated off-street parking spaces within their curtilage. Parking for the apartments is located within the site. Parking is also provided for 418 bicycles in total located within the ground floor areas of each block. Electric vehicle charging points will be provided on site (one for every unit with dedicated parking and one for every 10 spaces in the unallocated parking areas).

Internal landscaped areas with tree and shrub planting and various biodiversity enhancements and informal play elements are proposed, as well as tree and shrub planting around all the external boundaries of the site. Areas of green and brown roofs are also proposed on Blocks A and B.

The total floorspace of the proposed development would be approximately 29,883 m<sup>2</sup>.

**Value Added:** Amendments have been made throughout the consideration of the application and include the following:

- Block B has been lowered from 11, 9 and 7 storeys to 10, 8 and 6 storeys.
- This has resulted in a reduction of 13 apartments across the scheme
- Increased level of detail to elevations, improved interest to silhouette of roof, improved proportions to bay windows
- Removal of gates from the entrances to the development
- Improvements to bin storage and access
- Inclusion of 5 no accessible parking spaces in close proximity to the main entrances
- Four additional cycle spaces have been introduced in Block C to ensure all blocks provide at least 1:1 cycle parking provision
- Improved biodiversity measures around the site

## **DEVELOPMENT PLAN**

**For the purposes of this application the Development Plan in Trafford comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were

saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

### **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 - Land for New Houses  
L2 - Meeting Housing Needs  
L3 – Regeneration and Reducing Inequalities  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
W1 - Economy  
R1 – Historic Environment  
R2 – Natural Environment  
R3 – Green Infrastructure  
R5 – Open Space, Sport and Recreation

### **PROPOSALS MAP NOTATION**

Old Trafford Priority Area for Regeneration  
Main Industrial Area

### **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

None relevant

### **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

SPG1 New Residential Development (2004)  
Revised SPD1: Planning Obligations (2014)  
SPD3: Parking Standards and Design (2012)

### **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in November 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The DCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The National Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics in one place. The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016 although it has since been subject to a number of updates, the most recent of which was made on 01 October 2019. The NPPG will be referred to as appropriate in the report.

## **NATIONAL DESIGN GUIDE**

This document was published by the Government in October 2019 to illustrate how well designed places can be achieved in practice. It forms part of the Government's collection of planning practice guidance.

## **RELEVANT PLANNING HISTORY**

The application site and adjacent site to the south have an extensive planning history from its former use as British Arcady. The applications below relate only to the past 20 years.

### **Application Site**

99871/SCR/20 - Request for a screening opinion for erection of residential development comprising five blocks (a, b, c, d & e) of between 6 and 11 storeys, providing circa 400 residential dwellings (Use Class C3) with associated access, parking, servicing and landscaping – Screening Opinion Issued 17.02.2020

## **APPLICANT'S SUBMISSION**

The applicant has submitted the following information in support of the application. Some of the reports have been amended / updated to reflect the changes to the scheme. These documents will be referred to as necessary within this report:-

- Planning and Heritage Statement
- Design and Access Statement
- Townscape and Visual Impact Assessment
- Daylight and Sunlight Assessments (Internal and External)
- Wind Microclimate Assessment
- Noise Impact Assessment
- Tram induced vibration assessment
- Supporting statements regarding Fire Safety and Accessibility

- Air Quality Assessment
- Crime Impact Assessment
- External Lighting and Security Statement
- Transport Assessment and Addendum including Framework Travel Plan
- Metrolink Impact Assessment
- Flood Risk Assessment
- Drainage Strategy
- Phase 1 Contamination Assessment
- Landscape Strategy
- Open Space Statement
- Preliminary Ecological Appraisal Report
- Energy Statement
- Waste Management Strategy
- Viability Assessment

## **CONSULTATIONS**

**Cadent Gas** - Advise that the development is in the vicinity of Low or Medium pressure (below 2 bar) gas pipes and associated equipment. As a result it is highly likely that there are gas services and associated apparatus in the vicinity and the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

**Electricity NW** – Consider the planning application could impact on their infrastructure. The applicant should be made aware of the comments provided.

**Greater Manchester Archaeological Advisory Service (GMAAS)** – Confirm they are satisfied that the proposed development does not threaten the known or suspected archaeological heritage and that there is no reason to seek to impose any archaeological requirements upon the applicant.

**GM Ecology Unit** - No objection in principle as the ecological appraisal finds that the site has negligible ecological value. Comments are considered in more detail later in the report.

**GM Fire Authority** - No objection in principle subject to the requirements for Fire Service access being met and the development being compliant with Section B5 of Approved Document B of the Building Regulations in relation to fire safety.

**GM Police (Design for Security)** – No objection in principle subject to a condition requiring the development to reflect the physical security specifications set out in the Crime Impact Statement.

**Local Highway Authority** – No objection in principle subject to conditions and a legal agreement relating to parking surveys and potential TROs. Comments are considered in more detail later in the report.

**Lead Local Flood Authority** – No objection in principle subject to a conditions. Comments are considered in more detail later in the report.

**National Air Traffic Services (NATS)** – No safeguarding objections.

**Trafford Clinical Commissioning Group (CCG)** – No objection and no contribution required. Comments are considered in more detail later in the report.

**Sport England** - Non-Statutory objection raised due to lack of contribution towards sport provision. Figures for contributions provided.

**Trafford Council, Arboriculturalist** – No objection in principle as the trees are not protected and there are only a few low value, self-seeded specimens on the site. Comments are considered in more detail later in the report.

**Trafford Council, Education** – No objection in principle. Contribution towards off-site primary school provision requested. Comments are considered in more detail later in the report.

**Trafford Council, Heritage Development Officer** – Considers that the impact of the development will result in negligible harm to the setting of Trafford Bar and Trafford Hall Hotel and minor harm to the setting of Old Trafford Bowling Club. Comments are considered in more detail later in the report.

**Trafford Council, Housing Strategy and Growth** - No objections in principle to the above application subject to provision of 10% affordable housing

**Trafford Council, Pollution & Licensing, Air Quality** - No objection subject to a condition requiring dust suppression mitigation measures during construction and the provision of electric vehicle charge points.

**Trafford Council, Pollution & Licensing, Land Contamination** – No objection in principle subject to contaminated land conditions.

**Trafford Council, Pollution & Licensing, Nuisance** - No objection in principle subject to various conditions. Comments are considered in more detail later in the report.

**Trafford Council, Strategic Planning** – No objection in principle. Comments are considered in more detail later in the report.

**Trafford Council, Waste** – In relation to the plans as originally submitted, commented on the excessive number of bins and the accessibility of the bin stores. Comments are considered in more detail later in the report.

**Transport for Greater Manchester (TfGM) Highways** – Awaiting comments on latest Highways Addendum. Any additional comments received prior to the Planning

Committee meeting will be included in the Additional Information Report.

**Transport for Greater Manchester (TfGM) Metrolink** – No objection. Whilst the development proposals are unlikely to affect Metrolink operations due to the proximity of the site to the Metrolink boundary, the applicant should be aware of TfGM's standard advice on working safely near Metrolink.

**United Utilities** – No objection subject to conditions relating to surface water drainage and requiring that foul and surface water is drained on separate systems

## **REPRESENTATIONS**

**Cllr Jarman** has objected to the application due to concerns regarding the aesthetics of the design and the proposed scale of the building.

**Neighbours:** Objections from 23 separate addresses were received in relation to the plans originally submitted. Grounds of objection summarised as follows:

### Scale, Density and Design

The development is too big, tall and high density

Local residents don't want high rise buildings there are enough in Old Trafford - areas in southern part of the Borough should take more high rise

Inappropriate and out of keeping - low rise more appropriate to the area – terraced and semi's more typical of the area.

Ugly and an eyesore – very little architectural merit

Need housing but should be more like Duerrs site

Fear for the character of the area – too many bland soulless towers

Looks industrial not residential and designed for 1820 no 2020.

Should be more sensitive to local area and enhance it

Not enough green space, landscaping - Covid 19 has shown that people are desperate for outside space

Should contribute to the area in a positive way

Creates a precedent for this height and density of development

Poor ecological improvements

In view of climate crisis should be more environmentally friendly.

Close to the historic area – could be detrimental to the vision for the Civic Quarter.

### Amenity

Overbearing for residents

Will result in loss of privacy as the blocks tower over local residents – will be unsettling

Loss of light / oppressive

Will be difficult to live in as well as look at

Will increase air pollution in an area where it is already a problem

Will block out views

Hazardous materials and ground contamination on site

Health and wellbeing of locals is important

### Highways and Parking

Will exacerbate congestion in the area – particularly on cricket and football match days and during rush hour. Road junction close to Trafford Bar station is already difficult.

Lack of parking in the development – will result in parking on-street

Residential streets already used as ‘park and ride’ for the tram

Need more people to walk or cycle

### Procedure and Covid 19

Residents should have been given longer to comment given the Covid 19 pandemic.

Too difficult to meet and organise at present

Not procedurally fair – some people don’t have internet access and can’t get into library or Council buildings

Should have been a public meeting

Given the magnitude of the decision it should not be delegated to officers

Council / developer trying to put through while residents can’t object

### Other Matters

Don’t have the infrastructure to support this number of residents (500 plus). Not enough schools / doctors / dentists. Already lots of office to residential conversions in the area

Should have to pay planning contributions or residents get no benefits from the development

Won’t satisfy local housing needs – affordable housing required

Why build flats when the supporting documents claim that the prices have decreased in the area in 2019 and house prices have increased.

Site should have been included in the Civic Quarter Plan

Piecemeal development – prevents proper planning

Won’t promote a sense of community - Not family orientated

Flats lead to transient residents who care less about the local area

Sole purpose to maximise profit for developer

Hope it’s kept clean – no fly tipping or litter

An objection was also received from Emery Planning on behalf of Mr & Mrs Ahmed who are the owners of the strip of land to the west of the application site. The concerns raised are summarised as follows:

- As the landowner of adjoining site, they consider that they should have been consulted by the applicant on a proposal for a development of this scale.
- Request Council facilitates contact between the applicant and adjacent landowner.
- They do not oppose the principle of redeveloping the site but want it to be looked at comprehensively
- Key concern is that the proposed development would compromise the primary function of the remainder of the employment allocation, and the operation of their site, the existing use of which is as a car park, linked to surrounding employment uses. As an existing employment allocation our client could seek to redevelop the

site for a more intensive employment use and re concerned that this development could prejudice this contrary to the development plan

The agent for the application has made the following (summarised) response to these comments:

- Do not believe there is any issues or conflict with land ownership boundaries
- There is no formal requirement by law to notify the adjacent landowner, however, prior to starting work on the application the applicant approached the owner to try and facilitate discussions about a comprehensive redevelopment of both sites but for financial reasons this option was not pursued and the application site was brought forward independently.
- The land in question is a narrow strip with very minimal use potential (most likely car parking as it was previously) and it is difficult to see how the proposed development would have a detrimental effect on or compromise the use of the land. If anything it would most likely benefit it. Given the narrow shape of the site it is difficult to see how this could be used for any intensive employment use.
- They state their client's site "may be prejudiced" but do not expand on how they believe this would actually occur and have not previously applied for a more 'intensive use' of the site during their 14 year ownership.

Objections from 32 addresses have been received in relation to the amended plans.

The majority of the objections received reiterate those previously made and set out above however additional points raised are as follows:

- The proposal is very similar to the previous proposal which was opposed by local people. The developers should not be allowed to make only superficial differences to the original plans. Fundamental issues with the development remain and to ignore these concerns shows disrespect and is an attack on people's rights.
- Contrary to Policy L2.2 as it results in harm to the area due to detrimental impact on character, increase in congestion and pollution and oversubscribed infrastructure such as schools, health centres and local parks
- Contrary to Policy L2.7 in that the scheme contains too many 1 bed units which are not in keeping with local need and do not provide 2-3 bed houses to meet the requirements of specific cultural and religious family needs.
- Lack of parking will cause friction in the area and increased traffic will be harmful to safety especially with regard to children.
- Only in favour of low rise development. Some good examples elsewhere. The area has huge potential
- Low quality, brutalist, high-rise flat developments like this decline and become crime hotspots. It is oppressive and gloomy and no-one will want to live there or near it.
- The construction methods of modern modular high rise apartment blocks have a limited profitable life for the landlord so over time they become less inclined to maintain and keep the site in good order. This leads to tenants moving away, less desirable tenants moving in and the area as a whole suffering. Need a stable

community not a transient one. There are always a stream of flats to rent or buy in the area so this is not needed.

- Most such flats are owned by landlords, and don't help locals purchase affordable housing; instead they get trapped into a cycle of expensive rental properties.
- People need real homes not blocks that reduce people to units who have to live out their lives limited by impoverished environments.
- How does this development reduce carbon emissions and energy consumption levels to address the climate emergency?
- Concerns about rainwater runoff due to lack of trees and soft landscaping.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

#### **The Decision-taking Framework**

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. The NPPF is a material consideration in planning decisions.
3. Paragraph 11 (c) of the NPPF states that development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11 (d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
4. Policies relating to housing supply, highway matters, design, heritage and the economy are considered to be 'most important' for determining this application when considering the application against NPPF paragraph 11, as they control the principle of the development and are most relevant to the likely impacts of the proposed development on the surrounding area:
  - The Council does not, at present, have a five year supply of immediately available housing land and therefore the housing targets identified in Policies L1 and L2 of the Core Strategy are out-of-date in NPPF terms, albeit other aspects

of the policies such as affordable housing targets, dwelling type, size and mix are largely still up to date and so can be afforded substantial weight.

- Policy L4 is considered to be out-of-date but only so far as it includes reference to a 'significant adverse impact' threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a 'severe' impact'. Other aspects of Policy L4 are considered to be largely up to date and so can be afforded substantial weight.
  - Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. Full weight can be afforded to this policy.
  - Policy W1 of the Core Strategy is considered to be compliant with the NPPF by supporting economic growth and is therefore up-to-date and can be afforded full weight.
  - Policy R1 of the Core Strategy is not considered to reflect case law or the tests of 'substantial' and 'less than substantial harm' to the significance of heritage assets in the NPPF. It is therefore considered to be out of date in that respect and cannot be afforded full weight.
5. The footnote to paragraph 11 (d)(i) explains that the policies of the NPPF referred to include those which relate to habitats protection, heritage and flood risk. The assessment of the scheme on these areas and assets of particular importance does not lead to a conclusion that 'provides a clear reason for refusing the development proposed'. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore automatically engaged because the absence of a five year supply of immediately available housing land. Planning permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This exercise is set out within the 'Planning Balance and Conclusion' section of this report.

## HERITAGE ASSETS

6. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
7. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. As indicated above this policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' to the significance of heritage assets in the NPPF.

As Policy R1 of the Core Strategy is out of date for decision making purposes, the requirements of Paragraph 11 of the NPPF are engaged. In view of this heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms.

8. Paragraph 189 of the National Planning Policy Framework requires developers to describe the significance of any heritage assets affected, including any contribution made by their setting.
9. Paragraph 193 of the NPPF establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The NPPF sets out that harm can either be substantial or less than substantial. There will also be cases where development affects heritage assets but from which no harm arises.
10. Paragraph 196 of the NPPF states that *"where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"*.
11. Paragraph 197 identifies that the effect of an application on the significance of a non-designated heritage asset should also be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
12. There are no heritage assets included within the application site. The site is not in the vicinity of any Conservation Areas and GMAAS have confirmed that they consider the development would not impact on any remains of archaeological significance.
13. The site does however lie within the setting of two designated heritage assets: Trafford Town Hall (Grade II) and the Entrance Portal and Lodges to former White City Greyhound Track (Grade II). The site also lies within the setting of several non-designated heritage assets: Old Trafford Bowling Club; Trafford Bar Station; Trafford Hall Hotel and No's 30, 46, 52 - 64 Talbot Road.
14. The applicant has submitted a Planning and Heritage Statement in support of the application and also a Townscape and Visual Appraisal. The Heritage Statement sets out that historic mapping indicates that the site was vacant until occupation by the Northern Lawn Tennis Club from some time prior to 1889 until around 1922. The site was then in industrial use from at least 1933, until the present.
15. The Manchester South Junction and Altrincham Railway had been constructed by 1851, with Old Trafford Station in the location of today's Trafford Bar station. By 1889, when the Northern Lawn Tennis Club had been established, detached

residential properties with large gardens had developed along Seymour Street (now Seymour Grove), and terraced properties had extended to the north and east. By 1933, the built-up area had expanded southwards, principally with residential development.

### Designated Heritage Assets

16. Trafford Town Hall (Grade II listed) was built in 1933. Trafford Town Hall is significant for its aesthetic, historical and communal values. The clock tower in particular is an important local and distinctive landmark and views of this contribute greatly to its aesthetic value. Its landmark quality orientates residents and visitors and provides a focal point within the locality.
17. The Entrance Portal and Lodges to former White City Greyhound Track are listed as Grade II. The structure dates to 1828 and was originally the grand entrance to the Royal Botanic Gardens, now White City Retail Park. The significance of this designated heritage asset derives from its connection with the history of the area as a large public garden, as the location of a number of exhibitions in the 19th century, and its association with later leisure activities during the 20<sup>th</sup> century. Whilst this original connection has been lost, it retains some communal and aesthetic value.

### Non-Designated Heritage Assets

18. The **Old Trafford Bowling Club** and Green is located at 49A Talbot Road. It was founded in 1877 and is an unusually substantial and early example of its type within the national context and is still used today. Built in the Tudorbethan style, it remains relatively little altered with a traditional timber-framed aesthetic of two storeys with associated green, clubroom and billiard room. It also forms a notable part of the legacy of leisure and sport provision within the area.
19. The **Trafford Hall Hotel** is located at 23 Talbot Road. It is a brick building with stone dressings to windows and decorative balustrading and parapet to roof. The raised ground floor has a decorative balcony above. It was constructed as civic offices, first appearing on a historic map of 1889-93 as Stretford Local Board Office. By 1968 it had become a hotel.
20. **Trafford Bar Station** building is semi-circular in shape, presenting a five-sided frontage to the road and a straight element to the railway. It is of brick construction with stone detailing. The stone door case is intricately decorated. A station was opened in July 1849 to serve the Manchester, South Junction and Altrincham Railway, but historic mapping does not show a building in the station's current location until 1891. While the station continues to be operational, the building itself is not currently in use.
21. **No. 30 Talbot Road** appears to have been constructed as a pair of semi-detached dwellinghouses but has been subject to alteration. The building's original gable

fronted form is still visible, but the detailing and original windows have been lost to the left-hand building, and two storey extensions added to both properties. Dwellings first appear in this location in historic mapping in 1889. In 1954, number 30 is labelled as a club. By 1968-84, it had been extended to the rear, and the buildings to either side had been demolished or redeveloped.

22. There are eight Victorian villas in the vicinity of the site. These are numbers 46, 52, 54, 56, 58, 60, 62 and 64 Talbot Road. These all appear to have been constructed as residential dwellings. They first appear on historic mapping dating to 1889-1893, filling the gap to the north of Talbot Road, on the southern side of the Botanical Gardens.
23. The Victorian residences to Talbot Road make a considerable contribution to the heritage interest and historic character of the area. They are important surviving examples of the once prolific Victorian residential character of the area, and are of notable architectural quality.
24. The Supporting Planning and Heritage Statement concludes that the proposed development would form a well-considered piece of new townscape and that the identified heritage assets will continue to be viewed and experienced as part of a contemporary streetscape. On this basis it concludes that the development will result in no harm to designated or non-designated assets
25. The Council's Heritage Development Officer has been consulted on the application and considers that elements of the design are welcomed, including the incorporation of details such as the canted bay from nearby Victoria villas, the proposed materiality which takes its cue from the local vernacular and the references to tennis and the proposed pavilion - Old Trafford has a long and rich history of association with sports and recreation including the Northern Lawn Tennis Club. The reduction in the height of Block B is noted as positive as it the inclusion of greater detailing on elevations at roofline level.
26. It is considered that the proposed development would cause no harm to the Grade II Listed Buildings identified above. This is mainly due to their significant distance from the application site and the presence of a number of intervening buildings. Similarly the development would cause no harm to No. 30 Talbot Road or the eight Victorian Villas on Talbot Road identified above.
27. However the Heritage Development Officer concludes that the development will result in minor harm to the setting of Old Trafford Bowling Club and negligible harm to the setting of Trafford Bar & Trafford Hall Hotel, all of which are identified as non-designated heritage assets. With regard to the impact on Old Trafford Bowling Club, the response states that it is appreciated that the proposal is replacing a series of large industrial buildings and that Old Trafford Bowling Club currently sits within a fragmented urban landscape. Nevertheless, the full extent of the development is clearly visible in views of this non-designated asset from Talbot Road and due to the

proposed height, massing and form it will result in a visual impact on Old Trafford Bowling Club and its appreciation from the street scene.

28. The minor harm to the significance of non-designated heritage assets identified above requires the development to be assessed against paragraph 197.
29. The development will not result in the loss or physical alteration of any of the non-designated heritage assets and it is the impact on views of Old Trafford Bowling Club from Talbot Road that has been identified as causing minor harm.
30. There are considered to be numerous significant public benefits associated with the proposed development which would outweigh the minor harm to the non-designated heritage asset identified above. The proposals would deliver 367 no. much needed residential units in a highly sustainable location contributing towards meeting the Council's housing land targets and housing needs. The development would utilise a brownfield site and would support aspirations for the regeneration of the area.

### Conclusion on Heritage Assets

31. Para 197 of the NPPF requires that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The Old Trafford Bowling Club would continue to be viewed and experienced as part of a contemporary streetscape albeit in the context of altered wider views but there would be no impact on the physical structure and understanding of the asset and its purpose. It is concluded that the public benefits identified above are considered to clearly and demonstrably outweigh the minor harm to a non-designated heritage asset. On this basis, the proposed development is deemed to accord with the NPPF and is considered acceptable in this respect. Therefore in terms of paragraph 11 of the NPPF there is no clear reason for refusing the development on heritage grounds.

### LOSS OF EMPLOYMENT LAND

32. The site is allocated on the Trafford Composite Proposals Map as a Main Industrial area. It comprises a vacant, cleared, previously developed former industrial site.
33. Policy W1.12 of the Core Strategy states that in determining applications for non-employment uses on sites outside of the Strategic Locations, developers will be required to provide a statement (an 'Employment Land Assessment') demonstrating that:
  - There is no need for the site to be retained for employment purposes and it is therefore redundant;
  - There is a clear need for the proposed land use(s) in this locality;
  - There are no suitable alternative sites, within the locality, to meet the identified need for the proposed development;

- The proposed redevelopment would not compromise the primary function of the locality or the operations of neighbouring users; and
- The proposed redevelopment is in accordance with other policies in the Development Plan for Trafford

34. The required assessment has been provided as part of the supporting Planning Statement. It is considered that this demonstrates that the site is no longer required for employment use for the following reasons.

35. The site is not in one of the locations that Policy W1 states the Council will seek to focus employment uses in and does not form part of a wider employment park. Rather, its allocation reflects the historic evolution of this railway-side site and the industrial role of this area has shrunk over time. Policy W1 makes clear that the strategy for employment land in the borough is to focus on the creation of economic clusters where infrastructure is in place to attract key economic growth sectors, such as the Trafford Park Core.

36. The bakery site to the south is currently still operational and the development has been designed in such a way to allow it to remain operational. There is no clear need to retain the application site for employment and the previous use on the site has been closed for some years and the buildings removed from site.

37. National and local policies set out a clear need for new homes in the Borough and in the Old Trafford locality. Indeed the site has been identified for housing in the Trafford's Strategic Housing Land Availability and in the Draft Land Allocations DPD. Although the latter is not adopted it is a clear indication of the aspirations for this site.

38. The supporting statement considers that there are no other sites available locally which are vacant and can provide this scale of housing provision with landscaping and amenity space, in an equally accessible, brownfield location.

39. The area around the site accommodates a mix of uses and the proposed residential use is considered compatible with nearby uses. The development would not impact upon the ability of neighbouring industry or shops to carry out their operations indeed the new residents will support local shops and services in the area.

40. It is considered that for the reasons set out in this report the proposal represents the efficient re-use of a derelict brownfield site for much needed housing. It is therefore concluded that proposal meets the required tests in terms of loss of employment land and is appropriate for housing.

## PRINCIPLE OF HOUSING DEVELOPMENT

41. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. The Government's current target is for 300,000 homes to be

constructed each year to help address the growing housing crisis. Local planning authorities are required to support the Government's objective of significantly boosting the supply of homes. With reference to Paragraph 59 of the NPPF, this means ensuring that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.

42. As indicated above, policies controlling the supply of housing are also considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11. The Council does not, at present, have a five year supply of immediately available housing land and thus development plan policies relating to the supply of housing are 'out of date' in NPPF terms.
43. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target and the latest monitoring suggests that the Council's supply is in the region of only 2.4 years. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.
44. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. The site is identified for housing within Trafford's SHLAA (Strategic Housing Land Availability Assessment) and the Draft Trafford Land Allocations Plan.

#### *Housing Type and Mix*

45. Policy L2 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Council's Housing Strategy and Housing Market Assessment. Policy L2 as a whole is generally consistent with the NPPF however references to housing numbers and housing land supply are out of date and less weight should be afforded to Policy L2.5.
46. The 367 no. dwellings proposed are made up of the following dwelling sizes:
  - 175 no. One bed units
  - 143 no. Two bed units
  - 49 no. Three bed units
47. These units are designed as a mix of apartments and 'townhouses' although they are all situated within the 5 blocks of development.
48. Policy L2.4 of the Core Strategy sets out a target split of 70:30; small:large (3+ beds). While the proposed development has a greater proportion of one and two bed

units than the target split, the Council's Housing Strategy and Growth Manager has confirmed that this is acceptable in the Stretford / Old Trafford area and notes that the developer is providing a significant proportion of two and three bed units that can be occupied by families.

### *Affordable housing*

49. The NPPF defines affordable housing as: housing for sale or rent for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy). Paragraph 63 states that affordable homes should be sought within all new residential proposals for major development (i.e. developments for ten units or more). Paragraph 64 indicates that with major developments, at least 10% of the homes should be available for affordable home ownership as part of the overall affordable housing offer. Core Strategy Policy L2.3 states that in order to meet the identified affordable housing need within the Borough, the Council will seek to achieve, through this policy, a target split of 60:40 market:affordable housing.
50. The site falls within a 'Cold' market location for the purposes of applying Policy L2 and with the Borough now in 'Good' market conditions, this relates to a requirement for 10% of the proposed residential units provided to be delivered on an affordable basis.
51. A Viability Appraisal was submitted with the application which initially did not offer any affordable housing. Following a robust review of the appraisal by the Local Planning Authority's viability consultant and discussions with the applicant, agreement to deliver 10 per cent on-site affordable housing has been reached in accordance with policy.

### *The Suitability and Sustainability of the Location at Present*

52. The housing policy objectives within the NPPF include providing new housing in suitable locations which offer a good range of community facilities and with good access to jobs, services and infrastructure, including public transport. With the Core Strategy (Policy L4) promoting development within the most sustainable locations.
53. The site is considered to be in a highly sustainable location within the regional centre (inner areas) for transport and services including Trafford Bar Metrolink stop and nearby Seymour Grove Local Shopping Centre. There are also medical practices on Seymour Grove. Much of the surrounding area is already residential in character.
54. The application site falls within the Old Trafford Priority Regeneration Area where Core Strategy Policy L3 is of relevance. This policy is generally consistent with the

NPPF however reference to housing numbers and housing land supply is out of date. Less weight should be afforded to this part of the policy.

55. Within Regeneration Areas Policy L3 of the Core Strategy states that the Council will support appropriate development that will reduce inequalities, secure regeneration benefits and create truly sustainable communities. The proposal is high density, appropriate to its sustainable urban location and in accordance with the revised NPPF and Revised Draft GMSF (GM- H 4) in making the best use of brownfield sites. Additionally, the proposal would provide a mixture of housing types (L2) and contribute to meeting the housing needs in the area.

### Conclusion on Residential Development

56. Whilst the Council's housing supply policies are considered to be out-of-date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the policies seek to deliver. Specifically, the proposal contributes towards meeting the Council's housing land targets and housing needs identified in Core Strategy Policies L1 and L2 in that the scheme will deliver 367 no. new residential units on a brownfield site in a sustainable location within the urban area. It is also considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and Place Objectives of the Core Strategy. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the Government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the scheme's contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply.

### Conclusion on Principle of Development

57. For the foregoing reasons it is considered that in principle the proposed redevelopment of the site for housing is acceptable. However the following issues still need to be considered in detail: design and the impact on the character and appearance of the site and surrounding area, highways impacts, residential amenity impacts and ecology. These issues and others are considered in more detail in the following sections of the report.

## DESIGN

58. Paragraph 124 of the NPPF states: *The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*

59. Paragraph 130 urges local planning authorities to refuse development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It continues in para 131 to state that when determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help to raise the standards of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
60. The National Design Guide was published by the Government in October 2019 and sets out how well-designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing.
61. This states at para 120 that '*Well-designed homes and buildings are functional, accessible and sustainable*' and goes on to state at para 122 that '*Successful buildings also provide attractive, stimulating and positive places for all, whether for activity, interaction, retreat, or simply passing by.*'
62. Policy L7 of the Trafford Core Strategy reflects the importance of design quality to the Borough's built environment and states: *In relation to matters of design, development must: be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan.*
63. Policy L7 'Design' is considered to be compliant with the NPPF and therefore up to date for the purposes of determining this application as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code.
64. The application site sits within a mixed commercial, industrial and residential context. The scale of the surrounding buildings and sites also varies significantly ranging from areas of extensive low density built development such as the Metrolink site to the west, a substantial industrial building to the south, tower block apartments such as Grove House to low level suburban type residential houses on Lime Grove to the south and also at the junction of Elsinore Road and Skerton Road. This provides a mixed setting for the development.
65. Changes have been made through the consideration of the application, most notably the reduction in Block B from 11, 9 and 7 storeys to 10, 8 and 6 storeys and the removal of gates at the site accesses to ensure free movement through the development and integration into the wider community.

### Design Intent

66. The supporting documentation in the Design and Access and Planning Statements sets out how the development has evolved through a detailed analysis of the site and local context and careful consideration of form and function.
67. The site is not located within the proposed 'Civic Quarter' but is adjacent to it. The architect has therefore stated that in order to align with the future development of the area, the proposed development seeks to respect the design principles and character laid out in the Draft Civic Quarter Area Action Plan. This includes the need for high quality public realm, creation of distinctive neighbourhoods and the need for housing provision for a growing community located close to main transport nodes.
68. Consideration of the history of the site and surroundings has influenced the design approach for the development. Until the 1920's the application site was occupied by the Northern Lawn Tennis Ground and the vision for the development seeks to incorporate an element of this history through the proposed 'clubhouse' structure in the centre of the site. Since that time the site has been occupied by buildings associated with mainly industrial uses. The Design and Access Statement also refers to the 'Royal Streets' which historically ran perpendicular to Talbot Road and were lined with a variety of different, large semi-detached Victorian villas. The proposed development seeks to re-introduce that idea of the 'Royal Streets' as part of the layout, in the southern half of the site with Blocks C, D and E. The references to the history of the local area are considered to be a welcome addition to the design approach.
69. The accommodation offering at the site aims to attract an array of occupiers at different stages in their life including graduate students, young professionals and families. Apartments of various sizes are located on each floor so as to encourage mixed communities. In this way the design of the development seeks to create a mixed group of occupiers who share amenity spaces to create a sense of community.

### Townscape and Visual Impact Assessment

70. A Townscape and Visual Impact Assessment (TVIA) which considers in detail the impact of the proposed development with respect to its 'Townscape' and 'Visual' effects. 'Townscape effects' relate to the impact on the physical characteristics or components of the environment which together form the character of that townscape. 'Visual effects' relate to impacts on individuals whose views of that townscape could change as a result of the proposed development.
71. The TVIA considers a set area of 1km radius from the proposed development site in order to establish the spatial parameters of the appraisal and identify any potential townscape and visual effects around the application site. 33 no. representative baseline viewpoints have been selected and a number of photomontages have also been prepared comprising a combination of wireline images and massing model

images. Although not 'verified views', these images are considered to provide an accurate representation of the scale, massing and detailing of the proposed development within the local context, and particularly in respect of the setting of a range of listed buildings and local, non-designated heritage assets.

### *Townscape Effects*

72. A detailed appraisal of the townscape effects from various character areas and features such as designated heritage assets and public rights of way has been provided. The assessment concludes that in terms of townscape character and features, the proposals would entail the redevelopment of the industrial site and the removal of detracting elements including remnants of industrial built form, piles of rubble associated with the demolition process, and metal palisade fencing to the site boundaries, and the replacement of these elements with a well-considered, architecturally ambitious development, utilising high-quality materials with appropriate planting to frontages and the introduction of a human-scale streetscape. The appraisal states that the development would result in an overall improvement to the local townscape and identifies some Neutral, Negligible, Minor (beneficial) and Moderate (beneficial) impacts as a result of the development.

73. A minor adverse impact is predicted on the setting of Old Trafford Bowling Club and Green. The sensitivity of the setting of this receptor is considered to be Medium. The overall magnitude of effect is considered to be small (adverse) resulting in an overall minor (adverse) significance of effect. This is due to the distance to the development site and therefore the scale of the proposals would also constitute an increase in built form in these views, thus resulting in an overall significance of minor (adverse). This impact is not deemed to be of such significance to render the development unacceptable in this respect. A full assessment of the impact of the development on heritage assets is contained elsewhere in this report.

### *Visual Effects*

74. A detailed appraisal of the visual effects has also been provided from the 33 viewpoints identified.

75. The assessments state that in terms of visual receptors, the proposed redevelopment of the site would give rise to a range of Neutral, Negligible, Minor (adverse) and Minor (beneficial) impacts. These impacts vary depending on the sensitivity of the receptor, the nature and proximity of their previous and existing views into and over the appraisal site, and the nature and proximity of the proposed development.

76. The relatively flat topography of the land is such that taller elements of the scheme will be visible from certain viewpoints however the proposed development is considered to be in keeping with the context of the wider area in terms of the maximum heights proposed. The TVIA accepts that there will be changes in views

from throughout the study area, however the visual effects identified are not considered to be of a level to cause an unacceptable degree of harm, and in the majority of instances are likely to be neutral, negligible or beneficial.

77. In view of the assessments undertaken, the proposed development is not considered to result in any unacceptable townscape or visual effects.

### Scale, Form and Layout

78. The application proposes a mix of one, two and three bedroom apartments, arranged in 5 blocks and creating internal streets between the blocks. Where reference is made to 'townhouses' this is in terms of their external appearance as two storey through the use of materials and detailing which results in them appearing visually different to the rest of the apartment block, rather than because they are physically separated from the rest of the block. These townhouses also have dedicated curtilage areas forming small gardens with a parking space.

79. The urban grain of the areas around the site is fragmented, with buildings of different heights and massing. As a response to this the development has been designed to comprise a number of blocks with varied height and massing.

80. Of the five blocks three are located in the southern half of the site (Blocks C, D and E) and are parallel to one another forming two internal streets within the site. Block E fronts Skerton Road to the east and Block C fronts the access road to the CSM site on the western side with the third (Block D) situated in between the two.

81. The remaining two blocks are interconnected at ground level and at a 45 degree angle in relation to one another. One block fronts Elsinore Road to the north (Block A), the other fronts Skerton Road to the east (Block B).

82. The heights of the various blocks range from 6 storeys to 10 storeys with a maximum height at the top of Block B of 31.5 metres. The three blocks in the southern half of the site (Block C, D and E) are 6 and 7 storeys high with the 6 storey block (E) fronting Skerton Road and the two 7 storey blocks behind.

83. Block A which fronts Elsinore Road is 7 storeys high and is linked to Block B at ground level. At the junction of Elsinore Road and Skerton Road, Block B forms a 6 storey corner feature. Block B then continues along Skerton Road stepping up from the 6 storeys at the corner to 8 and 10 storeys.

84. A floor of the Block B was removed during consideration of the application as there were initial concerns about the 7, 9 and 11 storey height of Block B which was considered too high for the site. However the amended heights of 6, 8 and 10 storeys, particularly in view of their stepped appearance, are considered appropriate to the setting. Buildings of this height and taller can be seen in the local area and it is

considered that this appropriately balances the impact on the streetscene with the need to provide a high density development in this sustainable location.

85. Two main entrances are provided to the site: one towards the centre of the site on Skerton Street, and another on Elsinore Street towards the north-west of the site. These provide access for vehicles and pedestrians and form a thoroughfare through the site off which the two parallel streets formed by the blocks in the southern half of the site branch off resulting in good connectivity across and through the site. It is considered that the main site access and focus for activity would be between Blocks B and E on Skerton Road. This access provides a sense of arrival and there is a clear visual link from that point through the site. Vehicular access to the CSM Bakery Solutions site would be retained down the western edge of the site.
86. The larger blocks, Block A and B front onto Skerton Road and Elsinore Road. The layout has been designed to provide a strongly defined edge to the site. The smaller 'villa' blocks are situated towards the southern end of the site and step down towards the two storey residential houses which characterise the area beyond the CSM bakery building. This results in the creation of streets within the development and the layout is clearly legible with structured view lines across the site.
87. The 'townhouses' are located at ground level, fronting the adjacent roads and this is considered to integrate the development into the wider streetscene. The townhouses have their own defensible space in the form of front gardens, paths and parking spaces and all have access to their own front door at ground floor from the 'street'. All of the blocks are 'broken' at first floor level to give a more domestic scale at street level. These active frontages contribute to the streetscene and wider area and give the development a sense of place rather than being insular.
88. Entrance lobbies for upper floor flats are located on prominent corners so as to activate the site and its internal walkways. The ground floor of the blocks house bin stores, plant space and bicycle storage and this ensures that clutter is kept away from the street frontages.
89. To the rear of Block A the proposal includes what is referred to as a 'clubhouse' which is a flexible amenity space which can be used for sports or as a meeting space for residential groups. The inclusion of this space is driven by the idea of reintroducing a club back into the site. The 'New Lawn Club' is intended to be a multi-functional space which could be used by the residents as a place to meet and gather in the same way people would have congregated at the Lawn Tennis club in the 1870's. The club or pavilion would be centred at the heart of the development and sits adjacent to the landscaped external areas of hard and soft landscaping to promote activity and health as well as providing an extra place to socialise and create a sense of community. The pavilion would have a covered colonnade around its exterior creating a boundary between the open and sheltered spaces. The maintenance and management of this space including the club house would be secured by way of condition.

90. The larger areas of parking for the development are located away from the main road frontages so that the parking and hardstanding does not dominate the external streetscene. Internally these areas are broken up into smaller sections across the site rather than having one large area of parking and landscaping is also used to soften the appearance.
91. The proposed buildings and open spaces are considered to effectively address both the streets within the development and adjacent external roads. Within the site the clear layout of the streets and the design of the building elevations provide active frontages onto the internal and external streets which allows for natural surveillance.
92. The application is considered to successfully resolve the high density nature of the development with the need to respect the wider context of the site and create a sense of domestic scale. In combination, the clear street lines, active frontages, mixed unit sizes and the use of communal open space is considered to result in a secure and accessible development that seeks to create a sense of community. The development also proposes the reinstatement of the street edges and connectivity to the wider area in a manner that integrates and animates the existing streetscene with the proposed development in a positive manner.

### External Appearance

93. The Design and Access Statement sets out how the architect has sought to use classic design principles, tying together 'base and top' of blocks and manipulating the middle through the use of detail and articulation.
94. The larger blocks have been articulated by stepping the floorplates and using reveals and extrusions to manipulate the taller massing. Human scale is introduced at ground level through the 'townhouse' typology, allowing the block to both address the streetscape and create a distinctive feature on the local skyline. The design uses the idea of the townhouses to embed the scheme into the street at ground level through the use of bay windows, corner entrances and 2 storey extrusion to visually separate the townhouse units from the upper floors. The incorporation of elements such as the canted bays from nearby Victoria villas references the historic character of the area and also results in a pronounced vertical emphasis.
95. The upper floors are treated with the same principles of materiality but with less intricate detailing as the lower ground floors. Openable windows and Juliet balconies animate the facades and the use of materials helps break down the visual mass of the blocks. This also creates a relationship between the different blocks by unifying them through the use of materials.
96. A number of the nearby heritage assets have a high level of architectural integrity and rich detailing. The repeating rhythm of the windows and articulation of the openings with headers and cornices is also an element which is present in the local

residential architecture. Incorporating these details into the elevation reflects the wider context of the area.

97. Amendments have been made to the roofline of some of the blocks to produce a more distinctive silhouette and elegance. This has assisted in reducing the impact of formerly large expanses of flat roof to Block B which was initially a concern and has created a more interesting roofline through the inclusion of bay detailing and recesses preventing the rooflines appear unrelenting and plain. Where prominent blank elevations were included in the initial proposals these have been amended during the consideration of the application to include windows and additional detailing. The floor plans also diminishes in size as the storeys increase and this also helps to create some interest.
98. The architect's intention when designing the frontage of the Clubhouse was for it to be clearly identified as a separate function to the residential apartments. A pavilion typology to relate back to the site's history as a tennis club is proposed. The strong graphical lines and form of a tennis ball were reinterpreted to be represented in the frontage to the pavilion with the circular form translated over a number of layers. The top curve forms the outline for the covered walkway and the lower curve being part of the feature manifestation to the set-back glazing. The two only align when the elevation is viewed head on.
99. The Design and Access Statement indicates that a balanced palette of materials would be used that reflects the historic elements of the site whilst also bringing about a contemporary variation to the development. A material palette of clay-based and red/pink/brown materials is proposed and while the material tone would vary this would be in a manner that is complementary across the site. Brick, masonry and tiled elements would form the primary facing materials but options for terracotta, glazed brick or ppc aluminium to match will also be considered. The materials will seek to provide a sense of robustness and longevity.
100. The proposed materiality is welcomed and takes its cue from the local vernacular as well as the assessment in the Civic Quarter AAP. There are local variations in the red brick used so there is some scope to create interest, however blue, grey, brown and buff bricks would not be considered appropriate. A materials condition is recommended to ensure the use of appropriate, quality materials.
101. The design of the buildings has a similar theme but utilises minor variations to suit particular blocks. It is considered that the design approach seeks to draw on various characteristics of local buildings - their scale, form and use of materials, while introducing elements of innovation in the external appearance of the buildings ensuring that the apartment blocks do not appear standardised and bland.

### Landscaping and Public Realm

102. The landscaping scheme includes the creation of residential-scale street scenes along Skerton Road and Elsinore Road through the inclusion of small front gardens and driveways to the ground floor townhouses and semi-private defensible space to ground floor apartments.
103. Shared space roads with pedestrian priority extend through the site from east to northwest and the landscape layout seeks to create easy and legible pedestrian links by encouraging low speeds and prioritising pedestrian movements through the site. The hard landscaping plans indicate the use of high quality paving blocks for the shared surface areas and limiting the use of tarmac across the site which is welcomed.
104. A 'spill out area' is proposed immediately to the south of the Pavilion clubhouse and in addition to this a mainly grassed amenity space is formed in the courtyard area providing a central point for the community. The public realm is proposed to include street furniture such as benches and cube seats and also informal play elements such as Artform Rocks which are designed to look like an iceberg that can be used as a seat or an object for creative playing and HopOp's which are cylindrical forms of variable sizes to encourage people to sit, rest, play and jump.
105. Landscape buffers of tree and shrub planting are combined with fencing to the southern and western external boundaries. Across the site it is proposed to incorporate tree planting, ornamental hedgerow planting, semi-native shrub planting, mixed ornamental and native shrub/herbaceous planting, grassed areas and green/brown roofs. The use of native and wildlife-friendly species in the soft landscaping plans is proposed to enhance on site biodiversity and green / brown roofs, bug hotels and bat and bird boxes are also proposed to form part of the landscape and increase biodiversity.
106. It is considered that the application successfully utilises a range of habitats in combination with tree planting, across flexible, well-connected spaces that provide an opportunity for a wide range of activities within the external areas. This would result in high-quality public and semi-private areas that should improve the local streetscape as well as creating attractive amenity areas within the development for the future residents.
107. It is considered that subject to appropriate conditions to secure the landscaping proposed and its long term maintenance that the development will incorporate good levels of native tree, hedge and shrub planting which will contribute to the visual amenity of the development and wider streetscene.

### Sustainability and Energy Efficiency

108. Core Strategy Policy L5 states that '*New development should .....maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.*' While it is

noted that Policy L5 is out of date in relation to NPPF guidance on Climate Change it is considered that the environmental efficiencies that the scheme seeks to achieve is in accordance with the general thrust of the NPPF guidance.

109. The application is supported by an Energy Statement and this sets out that the on-going de-carbonisation of the national grid in effect results, due to this development being 'all electric', in a large portion of the sites demand being met from centralised renewable energy sources.
110. The energy assessment has established an annual energy usage of 1,568,007kWh. The method of demonstrating that the design incorporates energy efficiency measures is by applying passive principles and incorporating a 'fabric-first' approach to achieve a highly-efficient thermal envelope and reduce primary energy requirements. The application of passive principles to maximise thermal efficiency means that electric heating is a valid and cost-effective proposal and will meet the requirements of Building Regulations with some Photovoltaic contribution.
111. Water-efficient fittings will help to reduce electrical loads for water heating. The ventilation strategy includes a mix of openable windows and mechanical ventilation with heat recovery (MVHR). MVHR units will recover heat from air extracted from wet areas (bathrooms/kitchens) at approximately 94% efficiency, further contributing to reduced space heating demand. Electrical demand for lighting will be minimised using energy efficient lighting throughout all areas. The hot water cylinders will be insulated with low standing losses.
112. The design is currently progressing based on achieving a consumption of 125 l/p/d as required by Part G of the Building Regulations.

The viable options for further consideration are summarised as:

- centralised direct or indirect air source heat pumps
- centralised solar thermal
- Solar PV
- centralised CHP

113. All 4 options above are viable depending on factors not at this design stage fully defined including; ownership of properties both present and future, grid electrical power availability and relative cost and the developer's sustainability aspirations.
114. Each house with dedicated parking would have the provision of an electric vehicle (EV) charge point (minimum 7kWh) and 1 charge point (minimum 7kWh) per 10 car parking spaces would also be provided for unallocated car parking. This potential demand could be significantly met from the PV output in summer months.
115. The site is in a sustainable location which will help to reduce its impact on the environment.

116. The sustainable technology options are not final at this stage given that there will be further detailed design development including consideration of Low and Zero Carbon Technologies. However the agent for the application has confirmed their agreement to a condition requiring a strategy for energy efficiency and low/zero carbon technologies to be submitted prior to above ground works commencing which demonstrates how carbon emissions of at least 30% below building regulations target will be achieved. As a result the development is considered to be compliant with the provisions of Policy L5 of the Core Strategy and the NPPF.

### Crime Prevention and Security

117. The application was accompanied by a Crime Impact Statement prepared by Greater Manchester Police, Design for Security which states that the layout of the proposed scheme is acceptable but that further consideration should be given to the detail of the secure cycle store provision, access control for entrance lobbies and post and delivery arrangements for the apartment blocks. In addition the report states that the development should be built to Secured by Design standards. GMP Design for Security recommend a condition is attached requiring the physical specifications set out in the report to be implemented as part of the development and the condition is recommended accordingly.

### Accessibility

118. Policy L7.5 of the Core Strategy states that development must be fully accessible and useable by all sections of the community.

119. The supporting statement sets out that the design and layout of the proposals have been developed from first principles with an inclusive approach to allow easy and safe and secure access throughout the majority of the building and roof terraces.

120. Access to all residential entrances will be via level thresholds and all lift lobbies are 1800mm wide. All apartments are fully DDA accessible to living areas, kitchens, main bedrooms and main bathrooms. All apartments are capable of being fully compliant to DDA requirements and a dedicated number of such apartments will be agreed at building regulation approval stage. In addition there are five dedicated disabled spaces, all located to be a short distance to the main residential entrances.

### Fire Safety

121. The GM Fire Authority have provided advice on their standard requirements for fire service access and this has been provided to the agent for the application. Although much of the detail is primarily a matter for the Building Regulations, the agent for the application has confirmed that in relation to fire safety, the proposed development has been designed with the guidance of an independent Fire

Consultant. They have undertaken a full design review of the scheme prior to submission and the building will be designed in accordance with BS 9991:2015 and other relevant British Standards.

### Conclusion on Design

122. Good quality design is an integral part of sustainable development. The NPPF and PPG including the National Design Guide recognise that design quality matters and that the planning process should be used to drive up standards across all forms of development.

123. It is considered that the proposed development seeks to incorporate references to the history of the area and re-interpret them in a modern way. The scheme would deliver a well-conceived, secure, efficient development which uses street layout, landscaping and high quality materials and detailing to create a distinct sense of place. It is therefore concluded that development would meet the requirements of Policies L5 and L7 and the NPPF. In order to ensure that the design intent and quality of the external appearance of the buildings is retained it is recommended that through the use of a legal agreement the current architects are retained in the role of design certifier throughout the construction period. The applicant has agreed to this requirement.

### RESIDENTIAL AMENITY

124. In addition to ensuring that developments are designed to be visually attractive Para 127 of the NPPF advises that planning decisions should create places that provide a high standard of amenity for existing and future users.

125. Policy L7.3 of the Trafford Core Strategy states that development must not prejudice the amenity of future occupants of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way. As previously stated, L7 is considered to be up to date for decision making purposes and full weight can be attached to it.

126. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines states that for new two storey dwellings, that the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. The SPG states that 'Where *three storey* dwellings (houses or flats) are proposed, the minimum distances are increased by 3 metres over the above figures and for *four or more storeys*, the figures as for 3 storeys apply.

127. With regard to overshadowing SPG1 states that 'In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m should normally be provided.' The SPG states that 'Distances to rear garden boundaries from main windows should be at least 10.5 m for 2 storey houses and 13.5 m for 2 storey flats or houses or flats with 3 or more storeys.
128. A range of issues have been considered under the broad topic of residential amenity in this case. All issues are considered in turn below, and with the impacts on both existing and prospective residents discussed.

### **Daylight and Sunlight**

129. The application is accompanied by a Daylight and Sunlight Amenity Impact Assessment Report by Gray Scanlan Hill which has sought to establish the extent of any sunlight and daylight loss on surrounding properties, and whether any overshadowing would occur. An Internal Daylight and Sunlight Amenity Report has also been submitted to evaluate daylight and sunlight conditions for the proposed residential units.
130. Daylight is the level of diffuse natural light from the sky that enters a building to provide satisfactory illumination of internal accommodation between sunrise and sunset. Sunlight refers to direct sunshine and is much brighter than ambient daylight. A key difference is that sunlight is highly dependent on orientation whereas this has no effect on daylight. Overshadowing is a consequence of the loss of daylight and sunlight and can occur when buildings are in close proximity relative to their size.
131. The Gray Scanlan Hill Report states that their appraisal is based on the provisions of the Building Research Establishment (BRE) report 'Site layout planning for daylight and sunlight - A guide to good practice'.
132. The report refers to two measures to consider the potential for loss of daylight Vertical Sky Component (VSC) and No-Sky Line (NSL). Sunlight is measured as Annual Probable Sunlight Hours (APSH). Each of these is explored in further detail below.
133. Obstructions, such as new development, can limit access to the light from the sky. The VSC method measures the amount of visible sky that can be seen from the centre of an existing window and compares it to the amount of sky that would still be capable of being seen from that same position following the erection of a new building. The BRE Report sets out at 2.2.21 that when assessing the VSC of existing developments, if the VSC, measured at the centre of an existing main window with the new development in place, is less than 27% and less than 0.8 times its former value, then the diffuse daylighting of the existing building may be adversely affected. In this regard, an aspirational target of 27% VSC is established

for each window. However, if a window already receives less than 27% VSC, then a reduction in the existing value of up to 20% (i.e. 0.8 x) is accepted as permissible on the basis that such a reduction is unlikely to be noticed by the room's occupants. If the levels are below this then the occupants of the existing building will notice the reduction in the amount of skylight and the affected area may feel gloomier. This is also stated in the submitted Gray Scalan Hill Report although they stress that should a window's VSC value be reduced by more than 20%, this does not mean that the room will ordinarily be left with inadequate levels of daylight; it simply means that the reduction in light will be more noticeable to the occupants.

134. The BRE Guidance confirms that the daylight distribution of an existing building can be found by plotting the No Sky Line ("NSL") for each main room, which would include living rooms, dining rooms and kitchens (bedrooms are considered less important). NSL is a measure of daylight distribution within an existing building/room.
135. When comparing the NSL for existing buildings against that proposed following development, BRE guidelines state that if the no-sky line moves so that the area of the existing room which does receive direct skylight is reduced by 20% (or to less than 0.8 times its former value), then this will be noticeable to the occupants, and more of the room will appear poorly lit..
136. Annual Probability of Sunlight Hours (APSH) is a measure of sunlight that a given window may expect over a year period. When assessing the impact of APSH in existing developments, BRE guidelines state at 3.2.11 that if a living room of an existing dwelling has a main window facing within 90 degree of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window, in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. As a result the room may appear colder and less pleasant.
137. This will be the case if the centre of the window receives less than 25% of APSH or less than 5% of APSH between 21<sup>st</sup> September and 21<sup>st</sup> March (acknowledged as the "winter months") and receives less than 20% or 0.8 times its former sunlight hours during either period.
138. The BRE guidelines suggest that APSH need only be assessed for windows serving main living rooms and conservatories if they have a room facing within 90 degrees of due south.
139. In relation to sunlight to garden areas, the BRE document states at 3.3.17 that for a garden to appear adequately sunlit throughout the year at least half of the garden should receive at least two hours of sunlight on March 21<sup>st</sup>. If, as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable".

## Impact on existing properties outside the site

140. Existing properties should be assessed against the BRE guidelines for VSC, NSL and ASPH.

141. The Gray Scalan Hill Report states that 'It is clear from reading the BRE Guidance that it seeks to consider daylight and sunlight amenity for neighbouring buildings of residential use; it emphasises the availability of daylight and sunlight to living rooms, and daylight to bedrooms and family kitchens. For the purposes of this report, certain windows in the following neighbouring buildings have been identified as sensitive or key receptors:

- 4-30 Seymour Grove;
- 3-5 Skerton Road;
- Grove House, 35 Skerton Road; and
- 18-58 Lime Grove.'

## Summary of the Results of the Assessments

### *Daylight Amenity Impact*

142. The revised massing of the proposed development will not have a significant impact on the daylight amenity of 18-58 Lime Grove. These buildings are too far removed from the site to be materially impacted by the massing of the proposed development, and this has been demonstrated with reference to the BRE's 25° block spacing test.

143. The revised massing of the proposed development will also have non-significant impact on the daylight amenity of 3-5 Skerton Road, the residential rooms of 4-30 Seymour and Grove House. Despite some minor measured reductions in baseline VSC levels, all windows (100%) of these buildings would continue to achieve the BRE's 27% VSC target or experience a reduction in VSC of less than the 20% reduction that is accepted by the BRE on the grounds that it would not be noticed by the room occupants. Further, all rooms (100%) appraised in these neighbouring buildings will also satisfy the BRE's NSL test, with the majority of rooms experiencing no reduction in the area / extent to which direct sky light is currently distributed within the room. Where rooms do experience an NSL reduction, this is by significantly less than the 20% reduction that is accepted by the BRE and would not be noticeable to the room occupants.

### *Sunlight Amenity Impact*

144. The revised massing of the proposed development will have an appropriate and nonsignificant impact on the sunlight amenity of 3-5 Skerton Road and Grove House.

145. All rooms (100%) of the 103 appraised within these two buildings would continue to achieve the 5% winter and 25% annual APSH targets, or experience reductions in existing APSH values of no more than the 20% reduction that is accepted by the BRE, on the grounds that it would not be noticed by the room occupants.
146. The high majority of habitable rooms (35 rooms or 90%) within 4-30 Seymour Grove would continue to achieve the 5% winter and 25% annual APSH targets, or experience reductions in existing APSH values of no more than the 20% reduction that is accepted by the BRE, on the grounds that it would not be noticed by the room occupants.
147. Of the 39 habitable rooms appraised, 4 rooms (10%) would achieve an Annual APSH value in excess of the BRE's target. The Winter APSH of these rooms would be 3%, below the BRE's aspirational target of 5%. These rooms are, however, inherently limited in their capacity to receive winter sunlight due to their recessed position between projecting parts of the terrace. The inherent limitation on these windows' capacity to receive sunlight is evidenced by the low Baseline APSH results in that three of these rooms do not achieve the Winter APSH target even in the baseline condition, meaning that even modest reductions to APSH values appear proportionally large, and greater than the 20% considered to be noticeable by the BRE. This effectively places an additional burden on neighbouring development sites and in real terms, these reductions in winter APSH are small.
148. Given the high overall BRE compliance, the report concludes that the impact of the revised massing of the proposed development on neighbouring daylight and sunlight amenity is appropriate and non-significant.

*Sunlight to Open Spaces*

149. The proposed development would not have a significant adverse impact on the extent to which the external amenity spaces associated with 3-5 Skerton Road would receive 2 hours of direct sunlight on 21 March (spring equinox), and based on the BRE's Tie in Sun test will continue to appear adequately sunlight throughout the year.

Conclusion on daylight / sunlight impact on existing properties

150. The results of the assessments indicate the following:
- 100% of windows achieve the BRE's VSC target
  - 100% of rooms pass the BRE's NSL test
  - 100% of rooms achieve the BRE's Annual APSH target
  - 97% of rooms achieve the BRE's Winter APSH target
151. There are four rooms (<3%) that do not achieve the Winter APSH target. All four are set within a recess – limiting their capacity for direct sunlight in Winter even with

no change to the Site. Of these, three do not achieve the Winter APSH target in the Baseline condition. The remaining one does but only just (a Baseline result of 5% Winter APSH against a target of 5%).

152. It is noted that the provisions of the BRE are guidance and should be applied flexibly. In addition both local and national policy advises an uplift in density for residential development in town and city centres, and notes that a flexible approach should be taken in applying guidance relating to daylight and sunlight in such areas of high density. Given the minor impacts identified in terms of the BRE's Winter APSH target on the four rooms in the properties on Seymour Grove, and the baseline position for these properties, it is considered that on balance the impact of the development of the daylight and sunlight in relation to existing offsite properties is acceptable.

#### Daylight and sunlight impacts on proposed units

153. Residential units within proposed developments should be assessed against the BRE guidelines for Average Daylight Factor (ADF) and ASPH.

#### Average Daylight Factor (ADF)

154. To achieve a predominantly day lit appearance, it is suggested that the ADF of a room should be at least 2%. However, there are the minimum recommended ADF values for dwelling houses, based on proposed room uses as follows:

- Bedrooms 1%.
- Living rooms 1.5%.
- Kitchens 2%.

155. The submitted report has adopted the 1% target for bedrooms and the 1.5% target for Living / Kitchen / Dining rooms ("LKDs"). They consider that in contrast to low rise dwelling houses, high density apartment developments typically employ an arrangement whereby kitchen facilities are located to the rear of the (often deep plan) combined room, with the living room / lounge area positioned closest to the windows. This arrangement provides most daylight to the most occupied living room area and offers the greatest benefit to residents / occupants of the apartments.

156. The BRE Guidance confirms that where a room is served by more than one window, the ADF should be calculated separately for each window and then summed / added together. The ADF is measured at an internal working plane, which for habitable room uses is required to be 850mm above internal finished floor level.

#### Annual Probable Sunlight Hours (APSH)

157. The BRE Guidance confirms that in general, a dwelling which has a particular requirement for sunlight will appear reasonably sunlit provided that:

*“At least one main window wall faces within 90° of due south”*

and

*“The centre of at least one window to a main living room can receive 25% of Annual Probable Sunlight Hours, including at least 5% of Annual Probable Sunlight Hours in the winter months between 21 September and 21 March”.*

158. Those rooms served by windows looking inwards towards the central courtyard areas of the proposed development (“the internal facing rooms”) are the focus of the analysis as the windows on the outers elevations of the development are not as sensitive given the predominantly low rise nature / massing of the surrounding environment and the broad spacing/height ratios between the Site and its surroundings.

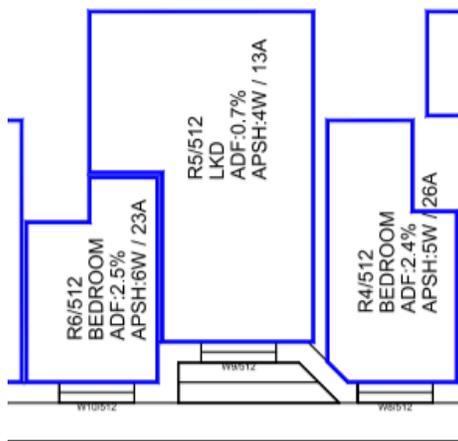
### Daylight Results

159. 474 individual bedrooms and LKDs have been appraised. 420 rooms (89%) were found to be fully BRE Guidance compliant. There are a further 40 rooms (8%) that were identified as within an acceptable tolerance of the BRE targets.

160. There is a minority of 14 rooms (3%) that do not achieve the aspirational design guidance targets. These 14 rooms are LKDs. 11 of these achieve ADF values of 1% < 1.2%. Whilst these rooms fall outside of the ‘Acceptable Tolerance’ value of 1.2% ADF, in real terms many are very close to achieving the acceptable tolerance ADF values and qualitatively would experience similar daylight levels. The remaining 3 LKDs, achieve ADF values of between 0.7% < 1% as set out below:

- R5/512 (0.7% ADF), 2<sup>nd</sup> floor;
- R5/513 (0.85% ADF), 3<sup>rd</sup> floor; and
- R5/514 (0.99% ADF), 4<sup>th</sup> floor

161. These rooms are all in Block B and are served by a window set within an elevational recess which reduces the angles of daylight measurement as shown below.



162. It should be noted that while a value of 0.7 to 1% is lower than aspirational, it is not very poor (0- 0.5% could be considered to be very poor). It is also of note that ADF is an average across the room, which conceals some of the nuance as to how these rooms are daylight. The arrangement of living room and kitchen into a single, deep plan room is a common arrangement for apartments. The effect this has on ADF is that the average across the room is lowered, in some cases below the values in the BRE Guidance, by the kitchen at the back of the room which often has very limited access to / expectation of skylight in this fairly typical arrangement. If notionally subdividing / separating the deep plan, combined room into its constituent parts, with the living room portion appraised as its own room served by the same windows, the living room portion is likely to be reasonably well daylight, even at lower floor levels.

163. It is also of relevance that where there is a room that does not achieve the Acceptable Tolerance value in relation to daylight, it is just one room per apartment and not the whole flat. This is relevant to the overall living conditions for the occupants of the unit.

### Sunlight Results

164. The proposed sunlight conditions of 189 individual LKDs that are served by windows that are generally facing west, south or east have been appraised. The LKDs served by a north facing window have not been technically appraised as they can have no realistic expectation of sunlight due to orientation.

165. The east facing windows serving LKDs located in Block C and Block D are, in reality, oriented east-north-east. On the basis that these windows are in fact orientated greater than 90 degrees from due south they have a reduced expectation of direct sunlight.

166. 116 LKDs (61% of all appraised) are BRE compliant. There are a further 27 LKDs (14%) that are identified as within an acceptable tolerance of the BRE's APSH targets.

167. There are a further 9 LKDs (5%) that achieve either the Winter or the Annual APSH target.

168. 37 LKDs (20% of the rooms appraised) do not achieve the design guidance targets. Of these 37 LKDs, 22 would achieve an Annual APSH that is within an acceptable tolerance of the BRE targets only ( $\geq 20\%$  APSH), and not Winter APSH. Of these 37 LKDs, 26 are served by a window oriented more than 90 degrees from due south, and on that basis should have a reduced expectation of sunlight.

### Combined Results

169. Although not set out in the amenity report as there is no formal means of assessing a combination of daylight and sunlight factors in the BRE Guidelines, additional analysis has been carried out to identify how many rooms would not meet acceptable tolerance values for daylight and sunlight.
170. In terms of daylight and sunlight to LKDs considered together, there is a total of 4 rooms (LKDs) that do not achieve the Acceptable Tolerance values below for ADF (<1.2%), Winter APSH (<4%) and Annual APSH (<20%).
171. These 4 rooms are in Block B (R7/511 and R8/512), Block C (R2/520) and Block D (R7/530).
172. However all of these four rooms have ADF values of between 1% and 1.2% which, in qualitative terms, would not appear much different to a room that achieves a 1.2% ADF. It is therefore considered that daylight levels would be acceptable.
173. These 4 rooms represent a small minority of the rooms appraised (less than 1% of the 474 rooms) and when outward facing habitable rooms are included, these 4 rooms represent circa 0.4% of the 975 habitable rooms of the Proposed Development.
174. Again, it is of relevance that these four rooms are in four different apartments and just one room per apartment has these values and not the whole flat.
175. It is noted that the BRE guidance is based upon a low density suburban model and some flexibility should be applied given the nature of the proposed development. On the whole, the proposed development is a well-lit scheme.

#### Conclusion on daylight / sunlight for the proposed units

176. Paragraph 123 of the NPPF promotes, where appropriate, an uplift in density for residential development in town and city centres. It notes that a flexible approach should be taken in applying guidance relating to daylight and sunlight in such areas and it should be acknowledged that it is not unusual for apartments in such locations to receive lower levels of daylight and sunlight than might be experienced elsewhere.
177. Although a detailed breakdown of the impacts on individual flats has been undertaken, collectively, it is considered by the Local Planning Authority that the vast majority of the proposed residents would benefit from good levels of daylight and sunlight and that no units would experience poor amenity levels. Overall this is a well-lit scheme and this is compliant with the advice set out in NPPF in relation to high density development.

#### Overlooking

178. Whether a new development would impact negatively on existing residential properties through adverse overlooking is an important consideration. Where there is the potential for direct interlooking between proposed windows and those in adjacent residential properties or between proposed windows and areas of private amenity space, consideration must be given to the separation distances, angles and any proposed methods of screening or obscuration proposed in order to protect the privacy of occupiers of adjacent residential properties.

179. The Council's New Residential Development Planning Guidelines document (PG1) is of relevance in considering the distances necessary to maintain good standards of residential amenity. The guidance document does not include specific guidelines for tall buildings and is therefore of more limited use in relation to high density development, but it does state that for development of four or more storeys where there would be major facing windows, flats should retain a minimum distance of 24m across public highways and 30m across private gardens.

180. The impacts of the development on the privacy of adjacent properties is considered in more detail in turn below.

#### Impact on Existing Offsite Properties

##### Northern Elevation

181. Beyond the northernmost external elevation of the proposed development is Elsinore Road which adjoins the Metrolink line and associated land either side.

182. The buildings beyond the Metrolink line and Talbot Road are largely in commercial use and in any event are a significant distance away from the site (approximately 54 metres) which is well in excess of the recommended guidelines set out in SPG1. Given the distances involved it is not considered that meaningful views from the development could be gained into any properties to the north of the site.

##### Eastern Elevation

183. The easternmost external elevations of the development would be opposite commercial and residential buildings on the eastern side of Skerton Road.

184. There are four, two storey residential properties in a small block at the junction of Skerton Road and Elsinore Road. These properties have clear glazed main habitable room windows in the elevation facing the application site at ground and first floor level. There are strips of landscaping on the main road frontages but the main curtilage area associated with these properties is to their rear. The site layout of the proposed development is such that there would be no built development directly opposite the west facing elevation of the existing properties at the junction of Skerton Road and Elsinore Road. The nearest part of the proposed development

would be Block B which at the north-eastern corner would be 6 storeys in height. Views from the development would be oblique and minimum distances of 26 metres would be retained between the nearest part of the external elevations of the proposed development and these existing properties. Consequently it is not considered that the development would result in a material loss of privacy to the residential properties to the northeast of the site.

185. Adjoining these existing residential properties to the south are the gated rear yard areas of Iceland, Superdrug and Worldwide Foods commercial units, which have their publicly accessible frontages on their eastern elevations. These buildings and yards in combination extend across the majority of the eastern side of Skerton Road opposite the development site. It is not considered that these commercial uses could reasonably expect levels of privacy that would be afforded to private residential properties.

186. Grove House is a 9 storey former office building that has been converted and extended to form an apartment block. The northern half of the site of Grove House is opposite the south-easternmost block on the development (Block E) which is 6 storeys at this point. The distances between the front elevation of Grove House and the proposed development would be approximately 31 metres and is therefore in excess of the guidelines set out in SPG1. There is a communal landscaped area to the front of Grove House but this would be approximately 20 metres away from the nearest front elevations of Block E and it is not considered that the development would result in a material loss of privacy for the occupiers of Grove House.

#### Southern Elevation

187. The entire southern boundary of the site adjoins the existing CSM Bakery Solutions site. This is a substantial commercial building comprising industrial, warehouse and office buildings and silos and again it is not considered that these commercial uses could reasonably expect levels of privacy that would be afforded to private residential properties.

#### Western Elevation

188. The western site boundary adjoins a strip of tarmacked land which appears historically to have been used for parking. Beyond this is a landscaped strip which runs adjacent to the Metrolink Tram Line, beyond which is the Metrolink Trafford Depot and grounds and further west the British Gas building and car park. Due to the absence of residential properties adjacent to the western boundary of the site and the distances involved it is not considered that there would be any offsite privacy concerns to the west of the site.

189. In view of the nature of the relationships with existing offsite properties as set out above it is not considered that the development would result in unacceptable overlooking or loss of privacy to existing residents.

## Privacy levels for the Proposed Units

190. Given the relationships between the proposed development and adjacent units outside the site set out in the foregoing section it is not considered that there would be unacceptable levels of overlooking into the outward facing blocks of the proposed development. Where there are commercial uses opposite, they generally are either low level, do not have windows facing the site or are an acceptable distance away from the proposed development. The exception is some ground and first floor windows in the northern elevation of one of the CSM Bakery Solutions buildings however the only windows in the adjacent end elevations of the proposed residential blocks are at ground level and these would be screened from overlooking by boundary fencing and tree planting and therefore it is not considered that there would be unacceptable levels of interlooking between the two sites.
191. In terms of the potential for interlooking between the residential units within the site the proposed site layout is generally compliant with the requirements of SPG1 in terms of the relationships between the proposed residential units. For example the distances between the main elevations of the three Blocks in the southern half of the site (Blocks C, D and E) are 25-26 metres across the public parking areas.
192. Due to the density of the development and the shape of the site there are however instances of shortfalls in the guidelines but this has been addressed in most instances by offsetting the windows in the adjacent blocks to prevent direct interlooking.
193. This is the case between the southwestern side of Block A and the north-eastern corner of Block C and between the southern side of Block B and the northern side of Block E. The distance between the elevations is approximately 15 metres in both cases but the windows are positioned within the elevations so as not to be directly opposite each other and there are intervening public access roads. 16.5 metres is retained between the windows in the northern end of Block D and the windows in the nearest part of the rear of Block B opposite (15.5 metres from the balcony) but the blocks are at an oblique angle with the main thoroughfare and amenity areas through the site running between the two blocks. It is therefore considered that the privacy levels would be acceptable.
194. No windows are proposed in the north-eastern side elevation of Block A and therefore there is no loss of privacy to the rear of Block B as a result of this relationship. However the rear elevation of the southern half of Block B would look onto the rear of Block A at shorter distances but as a result of the orientation of the blocks which follow the lines of the adjacent roads, the angles between the windows would be oblique rather than direct and this is considered to mitigate the privacy levels to an acceptable degree.

195. It is considered that the layout makes effective use of the land and that the relationships between properties are acceptable for the foregoing reasons and they would be known to any future occupier of the development.

#### Conclusion on privacy and overlooking

196. For the reasons set out in detail in the foregoing section it is considered that the proposed development would not result in any undue overlooking or harm to privacy in relation to existing residents adjacent to the site. As this is intended to be a high density development there are instances where separation distances between new buildings do not meet the SPG1 guidelines for future occupiers of the properties. SPG1 does allow for a flexible approach within a development site, where good design or the particular circumstances of the site allow this and this is supported by the thrust of para 123 of the NPPF. It is therefore considered that the layout would provide acceptable amenity levels for future occupiers.

#### Overbearing/Outlook

197. New development should not have an overbearing impact on adjacent residential occupiers or result in a material loss of outlook as these are important residential amenity considerations. Loss of outlook can occur where development, as a result of the impact of its height, scale, massing can have an adverse overbearing and over dominating effect resulting in unduly oppressive living conditions.

198. SPG1 states that 'There are many possible relationships of properties with each other, and so in these matters the Council will generally adopt a flexible approach. However, dwellings should not be grouped so closely that they unduly overshadow each other, their garden areas or neighbouring property. In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m (49 ft) should normally be provided. It is noted that this relates to two storey walls however given the high density urban infill nature of the development it is considered that this is a reasonable approach for this development.

#### Impact on existing offsite buildings

199. As indicated in relation to overlooking and privacy issues in the foregoing section, the only residential units in close proximity to the external elevations of the proposed development are at the junction of Skerton Road and Elsinore Road to the northeast and at Grove House to the southeast. Residential properties on the northern side and eastern end of Lime Grove would have views of the development across the yard and parking areas a CSM Bakery Solutions but the distances are significant (approximately 90 metres).

200. Therefore in view of this and the fact that the properties to the northeast are offset in relation to the development and the distance to Grove House would be

approximately 31 metres, it is not considered that the development would have an unduly overbearing impact on these properties or result in material detriment to their outlook.

### Impact on Proposed Units

201. Again, in view of the relationships with adjacent units outside the site set out in the foregoing sections it is considered that the outlook for the units in the outward facing blocks on the site would be acceptable and would not be overbearing. There are ground floor windows in the southern elevation of the three blocks (C, D and E) however the nearest adjacent structures on the CSM bakery site are between 15 and 20 metres away and therefore it is not considered they would be overbearing. There is also tree planting proposed in the intervening area.

202. In terms of the potential for overbearing impacts or unacceptable outlook between the residential units within the site, as set out in relation to privacy, the distances are generally 15 metres or above. This is the case between the southwestern end of Block A and the northeast end of Block C, and between the southern end of Block B and the northern end of Block E. The relationships between the main elevations of the three blocks in the southern half of the site are well in excess of the requirements at 25-26 metres. There is a slight shortfall between a small section of the rear of Block B and the northern end of Block D but because the blocks are angled away from each other the rear of Block B benefits from a generally open aspect to the southeast across the site and the relationship is not considered overbearing.

203. The greatest shortfall is at the rear of Block B where the apartments look onto the blank side wall of Block A. In some instances the gap is only 11 metres however again Block A is angled away from the rear of Block B providing a more open aspect towards Elsinore Road to the North and for this reasons it is considered that adequate light and outlook would be provided.

204. It is accepted that there are some minor instances of shortfalls in the 15 metres set out in SPG1 for the future occupiers of the properties but these are relatively minor and SPG1 allows for flexible approach within a development site, where good design or the particular circumstances of the site allow this and it is considered that the layout would provide acceptable amenity levels for future occupiers. This is borne out by the daylight and sunlight report findings which considers that there are overall good levels of amenity and lighting across the site.

### Conclusion on Overbearing impact / outlook

205. It is considered that the development would not be unduly overbearing or oppressive when viewed from adjacent offsite residential properties and that an acceptable outlook would be maintained. It is also considered that the proposed layout makes effective use of the land and that the relationships between properties

within the development are acceptable for the foregoing reasons and they would be known to any future occupier of the development.

### **Wind Microclimate**

206. A desktop based Wind Microclimate Analysis Report has been submitted in support of the planning application. The report assesses the potential wind effects of the proposed development on the local microclimate throughout the year against best practice guidelines for pedestrian comfort and safety.

207. Wind environment is defined as the wind flow experienced by people and the subsequent influence it has on their activities. It is concerned primarily with wind characteristics at pedestrian level.

208. To identify the likely effects of the development on the pedestrian level wind environment a 3D CFD (computational fluid dynamics) model of the development and surrounding site was created and this was combined with an analysis of wind data from a local weather station to provide a qualified assessment of any likely effects the development may have on local wind conditions. The study has been produced using the widely applied wind environment criteria for pedestrian comfort and safety developed by T.V. Lawson (Building Aerodynamics, 2001) and was carried out by an experienced wind engineer. The study considered the most common wind effects of downwash, corner flows and channelling and the Lawson Criteria (LDDC Variant) have been applied to determine the acceptability of wind conditions for pedestrian safety and comfort.

209. Pedestrian comfort is assessed against wind speed and duration and is split into five 'comfort categories':

<b>Criteria</b>	<b>Suitability</b>	<b>Threshold mean wind for 5% of hours (ms-1)</b>
Sitting	Acceptable for outdoor sitting use (e.g. cafes, benches, balconies)	4
Standing	Acceptable for main building entrances, pick-up/drop-off points	6
Leisure Walking	Acceptable for strolling	8
Business Walking	Acceptable for external pavements, walking purposefully without lingering	10
Uncomfortable	Not comfortable for regular pedestrian access. Mitigation is typically recommended.	>10

210. Additionally, the Lawson criteria identifies safety criteria defined based on approximately two hours' exceedance per year. These are areas where someone

could find walking difficult or even lose their footing. An additional “warning” criteria has been introduced which shows areas which are close to exceeding the S15 criteria.

Criteria	Threshold Mean Wind Speed for 2.2hr/year (ms-1)	Wind conditions as experienced by people
S15	15	Unsuitable for frail persons, cyclists etc
S20	20	Unsuitable for all pedestrians

### Target Conditions

211. The report states that for a mixed use urban area such as this, the desired wind microclimate would typically need to have areas suitable for sitting, standing (including at entrances of buildings) and walking use.

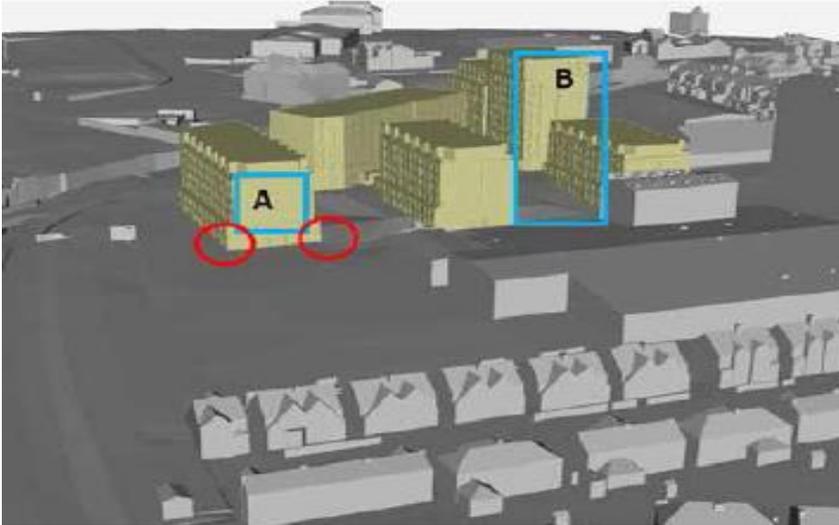
212. Any areas which are predicted to be unsafe (annually) or uncomfortable (for winter) will require mitigation, unless they are in locations where pedestrian access can be controlled in the event of strong winds. This applies to all thoroughfares (for pedestrians) and roads (for cyclists) around the development. Any amenity spaces should be suitable for leisure walking in the winter, and for a mixture of sitting and standing in the summer. The areas immediately outside any building entrances should be suitable for standing use during winter to provide a “buffer” between the still conditions in interior spaces and the general thoroughfare.

### Results for Proposed Development

#### *General Thoroughfares*

213. The blocks of the development stand taller than is typical of the immediate area around the site. The modelling indicates that for most of the blocks at 6 storeys this is not so significant that it results in a substantial risk of downwash. For the 10 storey block the potential for downwash needs to be considered.

214. When viewed from the dominant wind angle (190 degrees) the most western 6 storey block in the development (marked as A below) is exposed to the oncoming wind which creates a risk of accelerations around the corners of this block at the southern end (marked in red below) although it should be noted that there are proposed to be trees at both corners, which will dissipate the flow and provide mitigation.



215. The tallest block (10 storeys) is sheltered by the neighbouring 6 storey south-eastern block and this creates a “stepping” effect for the flow path onto the southern face of the 10 storey block (marked B). This acts as a significant mitigating factor against downwash from this face.

216. From the second dominant wind angle (290 degrees) the stepped north-easternmost block is sheltered by the 7 storey northern block (highlighted in blue below). This would significantly disrupt the onset flow and provide mitigation against potential downwash effects. There is a gap (highlighted red below) which is relatively tight and carries a risk of channelling. However there are trees currently located within this gap, which will dissipate the wind and provide some mitigation against this effect. The report advises that further mitigation could be achieved by further tree planting in this area.

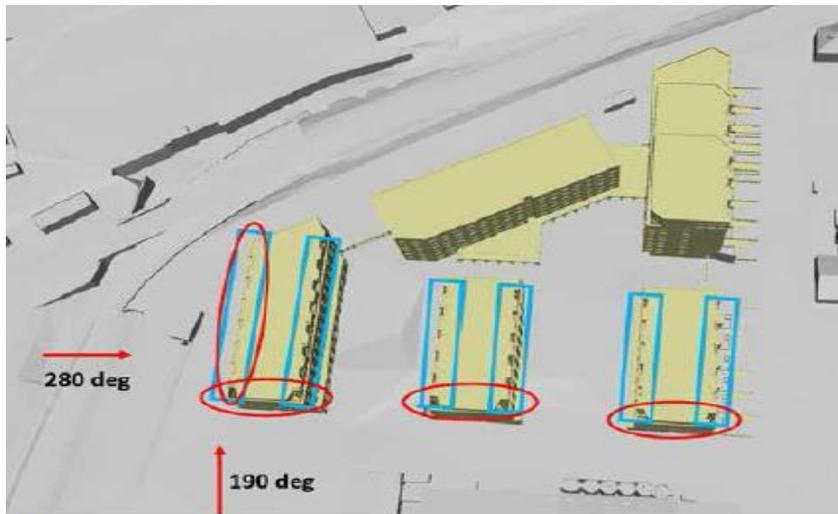


### *Amenity Spaces and Entrances*

217. The majority of entrances are not considered to carry a risk of accelerated wind speeds, but there are two (marked A and B on the ground level plan below) at the southern end of the western block which are relatively exposed to the onset wind from 190 degrees and therefore carry a risk of higher wind speeds. There are proposed trees upwind of these entrances which will provide mitigation against this.



218. The image below shows the location of the balconies within the site (highlighted in blue). There are certain balconies (highlighted red), which are exposed to the onset wind. However these balconies are proposed to have glass balustrades, which will provide mitigation against this.



### Conclusion on Wind Microclimate

219. The report concludes that the conditions are expected to be suitable for the intended use of the development and the risk of adverse wind effects is low.
220. Although potential adverse wind effects were identified at the base of the north-eastern block and at the southern end of the western block, mitigating factors (shelter provided by neighbouring block and tree planting respectively) were identified for each of these effects and on this basis the risk is not considered significant.
221. Potential adverse wind effects were also identified between the western and northern blocks and further tree planting in this region is recommended in the report. Since that time the landscaping layout for the site has been updated and this has included additional trees which the wind consultant has confirmed would provide the appropriate mitigation required.
222. Potential adverse wind effects were also identified at 2 entrances to the western block, but mitigating factors (tree planting upwind) were identified for these effects and the risk is not considered significant. Potential adverse wind effects were identified on the most southerly and westerly balconies on the development, but mitigating factors (glass balustrades) were also identified for these effects and the risk is not considered significant.
223. Overall, it is concluded that the proposed development contains mitigating factors that can be ensured through the design and layout of the buildings and a landscaping condition. On that basis the wind conditions are expected to be suitable for the intended use of the site and no further wind studies are required.

### Amenity Space

224. SPG1: New Residential Development sets out the Council's standards and states that most new dwellings should provide some private outdoor space and that this is necessary for a variety of functional requirements such as sitting out and children's play. The guidance sets out recommended garden area sizes and advises that for 3 bedroom semi-detached houses 80 sq. m of garden space will normally be acceptable but smaller houses may be acceptable with less. For flats, 18 sq. m of adequately screened communal area is considered generally sufficient for these functional requirements.
225. The proposed landscaping scheme seeks to provide some small garden areas for the houses, balcony areas for some of the flats and communal external hard and soft landscaped areas across the development but mainly centred around the area outside the 'clubhouse'. The clubhouse itself, while internal is for communal amenity use for residents of the development and looks out onto the external areas.
226. Currently, the proposals include provision of 4,478 m<sup>2</sup> of external open space, (excluding access roads and parking areas). In addition, the proposed buildings

provide further 390 m2 of internal amenity space in the form of Club House and Gym/Amenity Area, and 263 m2 of private balcony space, bringing the overall area of amenity & open space to the total area of 5,131 m2 (0,5131 ha). Given the high density nature of the development this is considered acceptable and it is noted that the site is located in close proximity to Seymour Park and Hullard Park.

### **Noise, Disturbance, Light and Vibration**

227. Core Strategy Policy L5.13 states that development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put into place.

### **Noise and Disturbance**

228. The site shares a southern boundary with a large industrial bakery products manufacturer whilst Metrolink tramlines run along the north and west of the site in close proximity. There are a number of retail uses and associated service yard accessed off Skerton Road to the northeast.

229. The application is supported by a Noise Impact Assessment (NIA) to determine the extent of environmental, commercial and industrial noise impacts onto the site and to consider any impacts that may be introduced by the development itself, having regard to various standards and guidelines concerned with the measurement and assessment of noise. The Pollution and Housing section have been consulted on the results of this.

### **Environmental and Commercial Noise**

230. The NIA considers the potential impact of overnight HGV deliveries to Iceland and the former Aldi premises now occupied by Worldwide Foods. Preliminary mitigation measures have been recommended for the affected proposed dwellings to control noise ingress to a suitable level and the Pollution and Housing section consider that a suitable mitigation scheme to deal with this aspect of noise impact can be agreed by an appropriate planning condition.

### ***Industrial noise from CSM Bakery Solutions***

231. The NIA has found that elevated levels of relatively constant plant noise emanating from the CSM site, including a pronounced low frequency tonal component, continuing over 24 hours on most days of the week, has the potential to cause a significant adverse impact to a proportion of the application site.

232. In addition, the NIA has found that a high level of noise, including pronounced tones, from regular daytime bulk road tanker deliveries to the CSM site has the potential to cause a significant adverse impact over much of the application site.

233. The Pollution and Housing section have therefore recommended that a façade noise reduction mitigation scheme should be provided which should achieve a level which is 5dB below the acoustic internal ambient criteria BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings.
234. The applicant's noise consultants have provided supplementary information confirming that the mitigation scheme will also be designed to comply with an internal acoustic noise target in order to address the impact of discrete tones found to be emanating from the factory site.
235. Any residual noise ingress is predicted by calculation to be masked by the background noise from the operation of an internally operated MVHR (Mechanical Ventilation with Heat Recovery) system. It is proposed that such a system be provided to each apartment to achieve background ventilation rates in accordance with current Building Regulations requirements. Façade wall and preliminary glazing specifications have been provided, incorporating high performance acoustic double or secondary glazing, to those elevations likely to be potentially impacted, in order to achieve the required criteria.
236. However, due to the high noise levels incident to a number of elevations, a further solution is required to reduce and in some cases, eliminate the need to open windows to provide summertime cooling, through the installation of options such as solar rated glazing, MVHR with a summer boost function and air conditioning. Clearly there will be a number of apartments where it will not be feasible to open windows for any length of time due to the ingress of potentially high levels of external noise. The noise consultant has clarified that ventilation needs can be addressed by the installation of a bespoke designed MVHR system, thereby eliminating the reliance on opening any windows for ventilation in these apartments.
237. It is considered by the Pollution and Housing section that the noise consultants have demonstrated that a technical solution is available to deal with the worst impacts of noise emanating from the factory site. However, work remains to finalise the exact specification of mitigation measures required for each dwelling. There are also aspects of the building design and management that would require agreement as well as a satisfactory level of mitigation, to ensure that external spaces including apartment balconies are not planned or intended to be used by residents for relaxation and recreation in adversely noisy locations. In order to ensure that these mitigation measures are appropriate and approved prior to installation by the Local Planning Authority, conditions are recommended accordingly.

#### *Fixed plant noise emissions*

238. Although a full external plant schedule is not yet available, the NIA specifies target criteria to ensure that plant noise levels are kept below the measured site background noise level and this can be conditioned accordingly.

### *Clubhouse*

239. The development includes a 'Clubhouse' to provide a community space for use by residents. A condition is recommended requiring that a management strategy for the clubhouse is submitted and agreed prior to first use of the clubhouse.

### *Amenity Space/Gym*

240. The NIA confirms that an amenity space/gym is proposed at ground floor level which introduces the potential for impact noise and operational noise transfer to apartments above and townhouses adjacent. Since the intended operation and construction details are not currently known, a detailed noise assessment is required to consider the risk of adverse impacts, particularly to structurally connected apartments which may be affected by impact noise generated from general gym activities and rhythmic slab excitation from the use of treadmills and cycle machines.

241. The NIA recommends that the slab within the gym is suitably isolated from the structure of the building in order to ensure that impact noise and slab excitation from typical gym activities can be readily controllable. The detailed noise assessment may recommend that a mass barrier ceiling is incorporated into the gym if high noise levels are expected. The Pollution and Housing Section consider that the matter can be addressed by the attachment of relevant conditions.

### *Construction Phase*

242. With regard to concerns raised about the construction phase, noise and disturbance is an unfortunate side effect of all new construction development but if properly controlled, the impacts can be mitigated. The Pollution and Housing section have recommended a condition requiring a management plan relating to the environmental impacts of the demolition and construction phases and this would cover issues such as hours of construction works, areas for parking of site operatives' vehicles and for loading and unloading, measures to control dust and dirt emissions and to prevent undue disturbance to adjacent dwellings from noise and vibration.

### Vibration

243. With regard to potential vibration impacts a Tram Induced Vibration Assessment Report was submitted to determine the impact of ground-borne vibration from tram movements along the Metrolink line adjacent to the site. The Pollution and Housing section have confirmed that the report follows the assessment procedures of a relevant British Standard BS 6472: 2008 *Guide to Evaluation of Human Exposure to Vibration in Buildings* to conclude that the site should not be subjected to any such adverse impact and that any re-radiated low frequency noise arising from tram movements would be within reasonable margins.

## Lighting

244. The application is supported by an External Lighting and Security Statement. This confirms that the external lighting design will confirm with appropriate criteria of relevant guidelines. However detailed lighting proposals are not currently available and therefore the Pollution and Housing section recommend a condition requiring that prior to installation an Exterior Lighting Impact assessment shall be submitted for approval to the Local Planning Authority to demonstrate that the impact of new exterior lighting into habitable windows, either within or off-site, would be within acceptable margins, following the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2011.

## Air Quality

245. Paragraph 181 of the NPPF advises that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. Paragraph 110 also requires applications for development to be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

246. Policy L5 requires developers to adopt measures identified in the Greater Manchester Air Quality Action Plan, to ensure that their development would not have an adverse impact on air quality. In this respect, L5 can be considered to be up to date for the purposes of decision making and full weight attributed to it.

247. The site is not located within an Air Quality Management Area (AQMA) but is situated in relatively close proximity to AQMAs on Talbot Road and at the junction of Elsinore Road and Seymour Grove.

248. The application is supported by an Air Quality Assessment (AQA), to establish the impact of the development on local air quality and to consider the suitability of the site for future users in accordance with relevant national standards and guidelines. The AQA also addresses temporary effects on air quality during the construction phase.

249. The AQA concludes that local pollutant levels subject to control by national Air Quality Objectives would not be significantly changed as a result of the operation of the development and future users of the site would not be exposed to unsatisfactory air quality.

250. In addition, construction dust impacts would be rendered insignificant subject to the implementation of a scheme of good practice control measures. The pollution and Housing section have confirmed that these impacts can be controlled through the use of the condition recommended above in relation to construction and pre-construction phase impacts.

251. The Pollution and Housing section also comment that the development should comply with current Institute of Air Quality Management planning guidelines that require the provision of electric vehicle (EV) charge points in every new house (minimum 7kWh) with dedicated parking or 1 charge point (minimum 7kWh) per 10 car parking spaces for unallocated car parking. The matter can be addressed by the attachment of a condition and subject to these conditions the development will be compliant with the NPPF and Policy L5 with regard to air quality.

### Conclusion on Residential Amenity Impacts

252. A suite of reports assessing the impacts of the development on the amenity of existing and future residential occupiers have been submitted in support of the application. They demonstrate that the scheme will have an acceptable impact on the amenities of existing occupiers of residential properties in the vicinity. It is acknowledged that there are some shortfalls in the guidelines set out in SPG1 in relation to the amenity of future occupiers of the development. However these shortfalls would not result in poor living conditions and the properties have been designed to provide adequate levels of privacy, daylight and sunlight. Given the approach of creating a high density development in a sustainable location, this is considered to be acceptable.

253. It is considered that the scheme overall represents a well-designed development that makes effective use of brownfield land, provides a pleasant place to live and contributes to the wider residential area. For the foregoing reasons and subject to appropriate conditions, the impact of the proposed development on the residential amenity of both existing adjacent occupiers and future occupiers of the development is considered to be compliant with Policies L5 and L7 of the Trafford Core Strategy and the NPPF.

### HIGHWAYS IMPACTS, PARKING AND SERVICING

254. Core Strategy Policy L4 states: [The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices. The aim of the policy to deliver sustainable transport is considered to be consistent with the NPPF.

255. Para 103 of the NPPF states 'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel

and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.'

256. Paragraph 109 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

257. Policy L4.7 states that 'The Council will not grant planning permission for new development that is likely to have a significant adverse impact on the safe and efficient operation of the Strategic Road Network, and the Primary and Local Highway Authority Network unless and until appropriate transport infrastructure improvements and/or traffic mitigation measures and the programme for the implementation are secured.' Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out-of-date for the purposes of decision making.

258. Core Strategy Policy L7 states: In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.

259. The application is supported by a Transport Assessment and following requests for additional information from the LHA and TfGM, an addendum to the Transport Assessment and a Metrolink Impact Assessment have also been submitted. These documents consider the relevant traffic and transport matters relating to the site and also consider the potential cumulative impact of this and other proposed and approved development in the area in relation to highway and parking matters. Other relevant developments include the proposed redevelopment of the Kellogg's site, the ongoing development at 86 Talbot Road and the CQAAP. This suite of documents seeks to demonstrate that the proposed development is acceptable with regard to impacts on the local highway network, tram capacity, access, parking and accessibility by sustainable modes of transport.

## **Traffic Generation and Impact on Highway Network**

### **Traffic Modelling**

#### *Seymour Grove/ Talbot Road Junction*

260. The LHA have analysed the submitted data which indicates the Talbot Road East and Seymour Road arms of the junction are currently operating above capacity during the AM and PM peak periods (i.e. degree of saturation (DoS) above in excess of 100%).

261. As a result of the development the mean maximum queue (MMQ) lengths on the Talbot Rd East arm in the AM would increase by 7 vehicles and in the PM by 14 vehicles. The Talbot Road West arm is below 100% capacity in the AM and above in the PM with an additional 7 vehicles. Seymour Grove is above 100% capacity in both peaks with an additional 8 vehicles in the AM and 2 vehicles in the PM.
262. Whilst it is noted that the queue lengths would increase, the LHA are satisfied that the additional traffic at this junction would not result in a severe impact on the highway network.

#### *White City Way / Talbot Road Junction Traffic*

263. This junction is shown to operate over capacity in the AM peak only. The Talbot Road East queue length increases by 16 vehicles as a result of the development. The Talbot Road West queue length increases by 2 vehicles and White City Way increases by 1 vehicle.
264. The LHA conclude that the junction would operate within capacity in the PM peak and that the impact of the development in the AM peak is not severe.
265. At the request of the LHA a cumulative assessment has also been undertaken by the Transport Consultant for the application which concludes that the proposal will not have a severe impact on highway operation when compared to the baseline situation. It is shown that the Talbot Road corridor is subject to baseline delay and operation issues, and the addition of the development traffic doesn't significantly change this situation. Therefore, no mitigation is required or proposed at either location. Furthermore the Civic Quarter AAP proposals are forecast to significantly reduce traffic on the Talbot Road corridor and in line with this, the AAP Transport Assessment does not identify a need to improve either the Seymour Grove junction or the White City Way junctions to accommodate future development in the area.
266. Overall, while forecast traffic flows show the proposed development would increase traffic in the area, the LHA are satisfied that the impact of the development would not be severe and is therefore compliant with the provisions of the NPPF in terms of the impact on the highway network.

### **Access and Servicing**

#### *Main Site Accesses*

267. It is proposed to provide three access points for vehicles and pedestrians. Two access points would be provided off Elsinore Road and it is proposed to utilise two existing points of access, although the design includes minor changes to the location of each access in addition to changes in width and general alignment. One access would be located at the end of Elsinore Road and would serve six proposed parking spaces as well as maintaining access to the bakery to the south of the site. Another

access would be located further east along Elsinore Road and would serve parking spaces between Blocks C and D. A third access to the site would be provided off Skerton Road, and would form a new access into the site. These access points are considered acceptable.

#### *Elsinore Road Maintenance Access*

268. The LHA initially had concerns about the proposed provision of a maintenance vehicle access and working/parking area off Elsinore Road, adjacent to an existing electricity substation, and to the rear of a proposed bin collection area. The maintenance working/parking area would have been shared with a proposed pedestrian access and the concerns were that the proposed maintenance arrangements may create vehicle-pedestrian conflict, or provide a barrier to movement for pedestrians, including disabled and visually impaired pedestrians.

269. However the developer has since confirmed vehicle maintenance access is not required, and the substation would be serviced from the kerbside as per existing access arrangements and this arrangement is therefore considered acceptable.

#### *Access to Townhouse Parking*

270. Each of the proposed townhouses along Elsinore Road and Skerton Road would be provided with its own 'front door' street access, and one car parking space, also accessed from the street. The LHA initially raise concerns that the proposals would create a significant length of vehicle crossover and numerous locations for vehicle access and refer to SPD3 which states "*Vehicle crossings compromise highway safety by creating turning movements on the carriageway and permitting vehicles to travel over the footway, which otherwise is restricted for pedestrians only*".

271. The applicant's highways consultant has, in response, commented that driveways are characteristic of the existing local area and also are common features in development street scenes. This is largely because of the benefits brought in terms of placemaking and the subsequent removal of the need to provide large areas of hardstanding for parking at the rear of properties. They refer to the fact that the use of driveways is supported by the Government document 'Manual for Streets' and that the guidance therein shows that research into the relationship between traffic flow and road safety for 30mph streets with continuous houses with direct frontage access (driveways) found that very few accidents occurred involving vehicles turning into and out of driveways, even on heavily trafficked roads. It also states that this potential is minimised further on roads with a 20mph speed limit, such as those surrounding this site.

272. The application site is fronted by two minor roads that are subject to 20mph limits. The driveways have been designed to allow pedestrian visibility and a short distance between the property boundary and the carriageway.

273. The LHA note and accept the guidance provided within Manual for Streets. They do however request that the proposed drives onto both Elsinore Road and Skerton Road are designed so that they are clearly provide good vehicle/pedestrian inter-visibility.
274. At detailed design stage suitable surfacing and boundary treatments will be provided to emphasise the pedestrian routes and this can be submitted for approval via a landscaping condition. In addition it is noted that the footways on the Skerton Road frontage are currently consistently blocked by parked vehicles and that this situation would be resolved by the proposal, providing a betterment in terms of street scene and amenity levels.
275. It is considered that inclusion of driveways for the townhouses is an intrinsic part of the design of the development which seeks to achieve good place making through the avoidance of dead street frontages and sterile environments with large areas of parking and hardstanding within developments. The driveways would generate activity in the streetscene and in view of the 20mph speed limit on the relevant road frontages, this approach is supported.

#### *Bakery Access*

276. It is confirmed as part of the application that vehicular access to the existing bakery will be retained through the site from Elsinore Road, and the proposed access and internal development road layout has been designed to fully accommodate bakery vehicles and servicing of the bakery site.

#### *Street Lighting and Redundant Footways*

277. The LHA initially commented that streetlights located at the proposed vehicle access points would need to be relocated as they would be likely to impact on visibility and noted that a 2m wide footway would need to be provided along the whole frontage of the development. Subsequent information provided by the developer confirms the relevant street lighting columns would be appropriately relocated as part of the development proposals.
278. The additional information received from the developer also confirms that where existing access points are proposed to be closed as part of the development, the footway would be fully reinstated including the provision of a lifted kerblines and this is considered appropriate.

#### *Servicing*

279. The LHA initially raised concerns about the potential for refuse vehicles to reverse into the site and as a result of the potential resultant safety hazards, required the applicant to demonstrate that the refuse vehicle would be able to

access and egress the site in a forward gear, with both movements clearly illustrated on plan for all relevant points of access. As a result the traffic consultant proposed that the bins be moved to an area on the access road within 10m of Skerton Road for collection. This would negate the need for the refuse vehicle to move on to the access road. Similarly, the bins could be moved to an area on access road within 10m of Elsinore Road for collection. This would mean that a refuse vehicle only has to reverse using the access road to exit Elsinore Road in a forward gear, a common movement type in a residential environment. Given the minor status of the road, the minimal amount of traffic and pedestrians using it, and the infrequency of refuse collection movements, this is not considered to present a safety or amenity issue and the exiting manoeuvre would be equivalent to that which would be undertaken using a turning head. The LHA considers that the servicing arrangements are acceptable on this basis.

### Waste Management

280. Refuse storage within each apartment would include separate containers or caddies for each category of waste. The separate blocks will house a recycling and refuse area in a dedicated bin store at ground floor, which is accessible from the circulation cores. The arrangements will be monitored by building management and the refuse containers will be presented at the designated locations on collection days. It is recommended that a waste management strategy condition is attached to ensure that a clear strategy is in place that can be retained over time.

### Car Parking

281. The car parking standards as detailed in SPD3 state that for this location each one-bedroom dwelling unit the maximum standards require one car parking space, and each two or three-bedroom dwelling unit requires two car parking spaces

282. The proposals have been amended to reduce the number of dwelling units to 367 (previously 380), for which it is proposed to provide 67 spaces. This represents a significant shortfall from the maximum standards and the LHA note that this is a location that already suffers from commuter and matchday parking pressures due to the proximity to the sports stadiums, and the Metrolink station at Trafford Bar

283. The site is located in a highway sustainable location close to public transport infrastructure and shops and service. In terms of public transport it is in close proximity to Trafford Bar Metrolink stop and bus stops on Talbot Road and Chester Road. The existing infrastructure serving the site was audited as part of the supporting TA and this shows that the site immediately fronts residential character streets that provide a suitable environment for pedestrians and cyclists. These streets link to wider network including existing infrastructure that provides pedestrian crossing points and high standard cycle routes. The proposal includes reinstatement of the footways bounding the site on Elsinore Road and Skerton Road and will remove parking activity on the Skerton Road western carriageway footway which will

improve the environment for active road users. The site also includes a high level of cycle parking and is considered as a result to have a very high level of accessibility

284. The submitted Transport Assessment (TA) states “A review of Census car ownership levels for apartment/maisonette residents in the local area show that 75% of residents live without a car. This data is nearly ten years old and in line with current thinking (set out in research by The Commission for Travel Demand, CIHT and TRICS) it is likely that car ownership levels at the proposal site will be lower due to the socio-demographic effects set out previously in Section 4”.

285. The LHA have commented that as might be expected for a mixed-use industrial and residential area at this location, car ownership levels are low, but if the 25% Census car ownership level is applied (the data is still considered relevant), this would result in 91 of the proposed 367 households owning a car. The addendum to the TA appears to show a reliance on other future proposals across Trafford to justify a parking level below 25%, including reference to the Civic Quarter Area Action Plan which is still in the consultation phase

286. It is noted that the draft CQAAP supports re-balancing and downgrading of the car infrastructure in the area to prioritise and support sustainable trip and place making and also seeks to rationalise and reduce parking in the area to encourage mode shift from reliance on the car to improve walking, cycling and public transport access to and movements around the area.

287. The Transport Consultant for the application identifies that the site is located on the edge of the Regional Centre and the Civic Quarter AAP and has a Greater Manchester Accessibility Level of 7 which is comparable to the accessibility levels found in Manchester city centre. In line with the research set out in the TA they consider that the site is patently suitable for a reduced level of site car parking and state that it is the intention for the development to create space for people, rather than one dominated by cars.

288. Historic Census data in relation to car ownership levels is noted and does allow a starting point of 25 % car parking for consideration but the area within which the site is located is highly accessible and the level proposed is in line with other comparable residential developments in the area and is higher than the level proposed in the Civic Quarter AAP. The Transport Consultant also points to low parking precedents at the Kellogg’s site (10%) and the Civic Quarter AAP Transport Assessment states that 15% parking provision is suitable in the AAP. As the site sits on the edge of the AAP and has the same, or better, accessibility than sites in the AAP, the level of parking is therefore considered appropriate.

289. In relation to parking controls the TA indicates that Elsinore Road and Skerton Road are both used extensively during the day by commuter fly parking and in the evening that these roads are generally clear of parking activity. The applicant’s consultant argues that existing daytime parking practices have a very real impact on local amenity and pedestrian safety as the cars currently block the footways on

Skerton Road and impact on the pedestrian environment. They go on to state that this proposal offers an opportunity for the Local Highway Authority to resolve this existing problem and the TA sets out a possible solution to this by the applicant funding changes to the TRO to allow these to be brought better in line with the TRO across this area of the Borough

290. The applicant has agreed to fund a review of the TROs fronting the site via legal agreement with the Local Highway Authority.

291. The applicant has stated that parking provision at the development will be clearly outlined to prospective residents, including emphasis that there is no guarantee that they can park on street. Parking spaces will be allocated to specific residents and this will limit the number of residents with a car who do not have use of a parking space.

292. The LHA does note confirmation from the developer that future residents of the proposed development would not be entitled to a resident's permit nor would they be able to park on-street during restricted hours (and outside of the restricted hours anyone would be entitled to park in the spaces, including commuters and visitors). The LHA accept that the site is in a sustainable location with access to good transport links. They state they would be willing to accept a proposed parking level below 25%, but note the existing high demand for on-street parking at this location and that the proposed development would reduce the number of on-street parking spaces.

293. As set out above the developer has agreed to pay for a TRO and parking review and this is accepted by the LHA.

294. The LHA would suggest that a number of parking surveys are undertaken throughout the construction phase of the development, whereby any resultant parking from the development within any of the following roads; Elsinore Road, Skerton Road, Tennis Street, Seymour Grove, Lime Grove and Addison Crescent, could be liable to changes in parking restrictions to protect the streets from unacceptable parking associated with the development. The LHA would suggest that the following strategy should be secured via a section 106 agreement:

**Parking Survey Strategy** – Before the first occupation of the proposed development site, a Parking Survey Strategy will be produced which identifies zones within the previously agreed 1km walking catchment would be used as (as per Drawing 72559-CUR-00-XX-DR-TP-06004-P01). The Parking Survey Strategy would need to be agreed with the LHA.

**Initial Survey** – Parking occupancy surveys to be undertaken for each zone before any occupation of the proposed development site, recording the existing level of on-street parking within the 1km walking catchment as a baseline level of on-street parking;

**Subsequent Surveys** – Parking occupancy surveys will be undertaken should three or more separate complaints that can be reasonably linked to the development site be made to Trafford Council within any single 6-month period. These surveys could be required at any point from first occupation to 2-years post completion. The surveys would need to be undertaken within 6 months of the third complaint being received for that zone (subject to neutral traffic conditions); and

**TRO Amendments** – Following the results of any subsequent parking occupancy surveys, it may be appropriate for TROs to be amended/provided in any affected zone should it be proven that the parking complaint is reasonably linked to the proposed development.

295. The strategy would need to be secured through a S106 Agreement as the LHA would require that the applicant pays the full cost of any amendments. The applicant has agreed to this requirement. Subject to this TRO and Parking review as mitigation should the reduced level of parking associated with the development results in unacceptable levels of on street parking, the LHA raise no objections on parking grounds.

296. It is the case that the overarching design concept of this development relies on low car ownership and this has assisted in providing pleasant streetscapes within the site by avoiding large swathes of hardstanding for parking. The site is in a highly sustainable location with excellent connectivity via tram or bus, as well as being highly accessible for pedestrians and cyclists. This means that sustainable methods of transport are a genuine option for journeys to and from the site and it is considered that this site typifies the thrust of the NPPF to focus significant development in sustainable locations in order to help reduce congestion and emissions, and improve air quality and public health.

297. On balance and subject to appropriate conditions and a legal agreement requiring the funding of a parking review as set out above, officers consider that appropriate supporting evidence has been provided to demonstrate that the level of car parking proposed is sufficient and would mitigate for any potential for overspill onto surrounding streets.

### Accessible Parking

298. SPD3 includes standards for disabled parking provision and for most uses, relates to a proportion of the overall parking provision. For residential development, SPD3 states that the level of disabled parking provision will be negotiated on a case-by-case basis.

299. Following initial comments from the LHA the layout has been amended and now includes five disabled parking spaces. This equates to 11% of the apartment parking area and 7% of the total parking provision. The disabled bays are provided on each

parking row area. The LHA notes and accepts the developer's proposal to provide accessibility parking spaces within the development.

### Cycle Parking and Storage Arrangements

300. SPD3 sets out cycle parking standards for residential development and also contains guidance relating to the detailed design of cycle parking facilities to ensure these are accessible and secure in the interest of encouraging sustainable travel. The minimum cycle parking standards as detailed within SPD3 state one cycle parking space is required for each one-bedroom dwelling unit, and one communal or two allocated spaces are required for each two or three-bedroom dwelling units.

301. Whilst the overall number of proposed cycle spaces in the original submission met the minimum standards (418 spaces), the LHA initially noted that Block C did not have the required number of proposed parking spaces for that block. Whilst cycle parking across the site exceeds standard requirements as a result of these comments the provision in Block C has increased by four spaces so that a cycle space is proposed for each residential unit and this is now acceptable.

### *Elsinore Road*

302. Elsinore Road is a no through route which terminates at a private entrance to what appears to be a car park. The LHA initially queried whether or not the land owner/authorised users of the parking area still require access along Elsinore Road, however the agent for the application has confirmed that the applicant has no control over the parking area and as such, it is not possible at this time for the road to be stopped up and a turning head provided.

### Adoption

303. The agent has confirmed that there is no intention by the developer to submit any of the internal roads or footways for adoption by the LHA.

### Tram Capacity Survey

304. TfGM requested a tram capacity survey to ascertain user levels during the AM and PM commuter travel peaks and this request was supported by the LHA. A Metrolink Impact Assessment was subsequently undertaken and submitted by the applicant's Highways Consultant to examine the impact of the proposed development on the Metrolink network in the AM and PM peak hours and the LHA and TfGM were consulted on the results. TfGM confirmed that the modal share used in the assessment is considered reasonable and the impact is not sufficient to cause Metrolink concern and as a result they do not wish to raise an objection to the proposal. It is therefore concluded that the information submitted indicates sufficient capacity to accommodate future users of the Metrolink generated by the proposed development.

### Proposed Stopping Up of Adopted Highway

305. A plan indicating areas to be retained and improved and areas to be stopping up has been submitted. The agent for the application has stated that no changes to the adoption status are proposed to the footway on Skerton Road. The adopted footway on Skerton Road is 2m wide and it is the intention to resurface and reinstate the footway and retain it all as adopted highway. An area of the western end of Elsinore Road is proposed to be stopped up. The footway area to be stopped up is currently up to 6m wide and is not required to be this width to accommodate pedestrian flow as it leads to a dead end therefore it is proposed to stop this up and but to leave a 2m footway in the adopted highway. This is in line with the requirements set out in the LHA's original highway comments. The retained adopted footway will be resurfaced and reinstated.
306. The red line boundary covers all footways including those that are to be retained in the adopted area as works are proposed to these footway areas. As shown on the plan, the position of the red line boundary does not infer that the applicant will propose stopping up all of the footway area. The stopping up procedure is separate to the planning application and the Local Highway Authority will be consulted on that application, however the plans has been submitted for clarification purposes and to provide reassurance that 2m footways will be retained in adoption on both frontages.
307. The LHA has advised that any proposed stopping up of the adopted highway would be subject to an order under S247 of the Town and Country Planning Act, 1990 and that the LHA and statutory undertakers would be consulted by the Department for Transport National Transport Casework Team during the stopping up process. Therefore in the event that planning permission is granted, the LHA seek an informative advising the applicant of the procedure for a stopping up order.
308. The LHA note that a framework travel plan has been provided in support of the application which at this stage, concentrates primarily on providing background information and expected deliverables but omits robust targets, measures, and incentives to reduce car journeys and promote non-sustainable methods of transport. Therefore, the LHA requests a condition requiring a full travel plan to be submitted for review and approval in writing within 6 months of the first date of occupation. The LHA also request the submission of a Construction Method Statement prior to work commencing to ensure that the construction phase of the development does not result in any unacceptable highways or amenity impacts. These conditions are recommended accordingly.

### Conclusion on Highways Impacts

309. It is considered that on balance enough supporting evidence has been provided to demonstrate that the 'residual cumulative impacts' of the development are not considered to be 'severe' (as set out in NPPF paragraph 109). The proposed development is deemed to be in accordance with local and national planning policy

in respect of highway impacts and subject to a number of appropriately worded planning conditions and obligations, the proposed development is considered to be acceptable in this respect.

## TREES, LANDSCAPING AND OPEN SPACE

310. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.

### Trees and Landscaping

311. The Council's Arboricultural Officer has considered the application and has commented that the existing trees on the site are not protected and are low value, self-seeded specimens. There is no objection to their removal.

312. The application is also accompanied by a detailed landscaping plan which proposes a good mix of species. The species selection and planting size of the trees in and around the site is also considered appropriate and in total 152 new trees are proposed across the site.

313. Due to scale and characteristic of the site, a mixture of green infrastructure habitats are proposed within the landscaping scheme as follows:

- 152 individual trees;
- 484 linear meters of ornamental hedgerow planting;
- 265 m<sup>2</sup> of semi-native shrub planting along the site boundaries;
- 1190 m<sup>2</sup> of mixed ornamental and native shrub/herbaceous planting;
- 300 m<sup>2</sup> of grassed areas; and
- 864m<sup>2</sup> of green/brown roofs.

314. The proposed landscaping scheme is considered to provide a robust network of green spaces and in combination, the above elements are considered to provide a well-structured and diverse GI network and are considered satisfactory in terms of the specific Green Infrastructure requirement.

315. Overall, the proposed landscaping scheme is considered to complement and enhance the development whilst also contributing to the improvement of the Borough's green infrastructure network and biodiversity. Conditions are recommended requiring the implementation and maintenance of the landscaping proposed, as well as adequate landscape maintenance for the site. Subject to this, the application is considered to be acceptable in this respect.

## Open Space and Sports Facilities

### *Open Space Provision*

316. The Council's adopted SPD1: Planning Obligations states that "*large residential developments of approximately 100 units, or that provide homes for 300 people or more, will need to provide new open space as part of the site design*". Core Strategy Policies R3 and R5 provide further clarification on how this could be provided.

317. In accordance with the Core Strategy Policies and SPD, the projected population within the proposed development has been estimated to equal 614 people, and the requirement is to provide 0.8289 ha of local open space based on the standard of 1.35ha / 1000 population. Currently, the proposals include the provision of 4,478 m<sup>2</sup> of external open space, (excluding access roads and parking areas). In addition, the proposed buildings provide a further 390 m<sup>2</sup> of internal amenity space in form of Club House and Gym/Amenity Area, and 263 m<sup>2</sup> of private balcony space, and the open space statement concludes that the overall area of amenity and open space to the total area of 5,131 m<sup>2</sup> (0.5131 ha). Given the nature and location of the site the open space provision is considered to reflect the type of development proposed with communal outdoor and indoor space of a high quality. So whilst in terms of quantity the development appears to fall short, the quality is considered to be significantly higher than in other similar high density schemes. The offer of indoor facilities and the reference to the history of the site is all considered to result in high quality, site specific open space provision for the residents of the development. A detailed landscaping plan has been provided which indicates considerable thought has been given to materials for hard surfacing and species for the soft landscaped area which further adds to the high quality environment being proposed.

318. However the internal amenity space/club house, gym/amenity and private balcony space are not considered to be local open space in line with Core Strategy Policy R5 and SPD1 definitions. On this basis it is considered that the quantum of open space provision falls short of the level set out in Core Strategy Policy R2 and SPD1 by 3,811sqm (0.381 ha). The shortfall in provision should be met through a contribution to the improvement of the quality of open spaces in the locality, due to the increased pressure placed on these facilities from new residents.

### *Play Space Provision*

319. The central amenity space has incorporated elements of informal play that fall within the category of Local Area of Play (LAP) and covers an area of 436 m<sup>2</sup> (0.0436 ha). This play provision falls short of the standards in R5 and SPD1 for the proposed number of new residents, although the informal play provision in the central external amenity space is welcomed. The required play provision for the site has been estimated to be 570m<sup>2</sup> (0.057 ha). The residential capacity of the 2 and 3 bedroomed units falls just short of the guide numbers for provision of a LEAP standard play facilities as per SPD1, so based on the figures in the assessment,

there is a stated shortfall of play space of 134 sqm and this should be met through a contribution towards offsite facilities.

### *Sports Facilities Provision*

320. As the development exceeds 300 no. residential units, Sport England has been consulted to provide an initial assessment of outdoor sports provision to be assessed against information contained within the Council's adopted Playing Pitch Strategy, in order to determine whether and how the additional demand arising from the development can be accommodated locally.
321. No formal on-site sports provision is proposed, and in view of the nature of the development in terms of its intended high density, this is considered a reasonable approach.
322. Sport England have objected to the application on the basis that no contributions are proposed towards formal sports facilities. However this is not a statutory objection and would be overcome by the provision of a contribution. The National Planning Practice Guidance states that Sport England's comments in respect of this issue is advisory only so the decision lies with the Local Planning Authority as to what weight this should be given.
323. Based on Sport England's assessment of additional capacity arising from the proposed development, compared with the information in Trafford's Playing Pitch Strategy, a contribution should be sought from the scheme towards the provision/improvement of local outdoor sports facilities (pitch cost and associated lifecycle cost). This is the only contribution required for outdoor sport and reflects the council's updated approach working with Sport England through the Playing Pitch Strategy/Sports Facility Planning model.

### *Active Design Principles*

324. Sport England have also commented that, in conjunction with Public Health England, they have produced 'Active Design' (October 2015), a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. They comment that the development should seek to incorporate these principles.
325. Following these comments the supporting open space statement has set out how, in order to encourage the informal uses for physical activities, the site's layout seeks to achieve the Active Design Principles. This states that the proposed landscaping scheme envisions a series of flexible, well-connected spaces that provide an opportunity for a wide range of activities within the external areas and the scheme prioritises pedestrian movements over vehicles.

326. Key external areas are linked to the central courtyard and have been designed as simple, multi-functional spaces that allow flexibility and can be easily adapted to suit resident's needs. These areas will be equipped with high quality street furniture, including informal play elements. The proposals include provision of the Clubhouse and a gym and the internal and external areas will be well connected and spill out and to encourage active use of the spaces. Community involvement and active participation in shaping of the external communal areas will be encouraged and the site will be subject to a management and maintenance regime, ensuring all the proposed elements are of high standard and safe to use.

### Conclusion on Open Space and Sports Facilities

327. The proposed indoor and outdoor communal spaces are considered to be high quality and well thought out in view of the high density nature of the scheme. While it is acknowledged that the provision doesn't technically comply with the SPD in terms of quantity, what is proposed is considered to be an appropriate and carefully conceived response to the site. The position in relation to specific planning contributions and viability are set out within the 'Developer Contributions and Viability' section of this report and this concludes that the provision of the required contributions towards open space and sports provision, in addition to the education contribution and provision of on-site affordable housing would not be viable and Officers are satisfied with this conclusion based on the viability information submitted.

328. It is of relevance that the site is located in Longford Ward, where access to open space is sufficient due to the presence of large parks and open spaces such as Seymour Park, Longford Park and Turn Moss playing fields further away to the south. It is also acknowledged that more immediate access, in line with the Council's Core Strategy and SPD1 policies, is more limited and that residential developments can have a cumulative effect.

329. The proposals are considered to make best use of the site by delivering a significant number of new homes on a brownfield site in a location that is well served by public transport. This accords with the Government's aim of achieving appropriate densities, particularly in the case of new residential development and in circumstances where brownfield land can be exploited.

330. Some of the proposed areas of amenity space and public realm such as the colonnade and clubhouse are considered positive aspects of the scheme but do not technically perform the role of recreational open space as described in council policy. The provision of these areas has not therefore been taken into account in the calculation of the contributions. Therefore whilst the level of open space and play space does not meet the standards in SPD1 it is considered that the proposed landscaping and communal amenity spaces are well considered, appropriate and will result in a pleasant environment for future occupiers.

## ECOLOGY

331. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, Paragraph 175 of the NPPF states that *"if significant harm to biodiversity resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*.
332. Policy R2 of the Core Strategy (Natural Environment) is considered to be consistent with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on conserving and enhancing the natural environment. Accordingly, full weight can be attached to it in the decision making process.
333. Paragraph 175 d) of the NPPF requires developments to take opportunities to incorporate biodiversity improvements in and around developments.
334. The application was accompanied by a Preliminary Ecological Appraisal Report. The GM Ecology Unit (GMEU) have been consulted and have stated that the ecological consultants have undertaken a detailed and an appropriate level of survey. The appraisal found the site to have negligible ecological value and the buildings on site were in the process of being demolished.
335. The GMEU go on to state that they would expect any redevelopment scheme to include measures to enhance biodiversity at the site, in line with the requirements of the National Planning Policy Framework. The supporting appraisal makes recommendations for such biodiversity enhancement measures to be included within the redevelopment scheme and these include native species planting, bug hotels, living walls and integrated bat and bird boxes.
336. The GMEU commented in relation to the original submission that these recommendations did not appear to have been included in the landscaping plans which should therefore be amended to include these measures.
337. The landscape plans have subsequently been amended to incorporate the recommendations of the ecology report through the use of an increased percentage of native species within the planting mixes, including many species which have a high wildlife value due to their flowers and berries, the provision of 5 no. bug hotels along the site perimeters and indicative locations for 10 No. bird/bat boxes within the layout (details to be confirmed by an ecologist). These measures to improve biodiversity can be secured through planning conditions.
338. Given the quality of the existing site in biodiversity terms, subject to the abovementioned condition requiring biodiversity enhancements it is considered that

the scheme would deliver net gain for biodiversity, compliant with Policy R2 of the Core Strategy and the NPPF.

## FLOODING, DRAINAGE AND CONTAMINATION

### Flooding and Drainage

339. Policy L5 of the Trafford Core Strategy states that *“the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location”*. At the national level, NPPF paragraph 155 has similar aims, seeking to ensure that development in high risk areas of flooding is safe without increasing flood risk elsewhere.

340. The site is located within flood zone 1 and the probability of flooding is low. Additional drainage information has been submitted at the request of the LLFA which states that the surface water system will accommodate flows on-site up to and including the 1 in 100-year critical duration event, with an allowance for climate change. A total storage capacity of approximately 190m<sup>3</sup> Blue Roof and 240m<sup>3</sup> cellular storage will be provided and the system will have a flow control device limiting surface water discharge to 26.5l/s, equivalent to the 1:100 greenfield run-off rate. Where possible all hard landscaping will be laid to fall towards areas of soft landscaping. Roads will be positively drained through the use of road gulleys and attenuation tanks will utilise silt traps.

341. The Lead Local Flood Authority has commented that they have no objections in principle to the development on this basis subject to a conditions requiring the development to be carried out in accordance with the submitted Drainage Strategy and Addendum and requiring long term maintenance and management arrangements to be submitted and agreed. United Utilities have also commented that sustainable drainage techniques for surface water drainage should be incorporated and that foul and surface water should be drained on separate systems.

### Contamination

342. Policy L5 also states that *‘Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place’*.

343. In relation to site contamination the Council’s Pollution and Housing section have considered the content of the Phase 1 contaminated land review submitted in support of the application. The review states that the site has undergone multiple stages of development in different locations within the site. This includes an Engineering Works, Electricity Substation, Research Laboratory and a Flour Mill and confirms the potential presence of contamination across the site which will require further investigation to ensure that the site can be made suitable for the proposed

residential usage. The Pollution and Housing section have stated that to ensure that suitable investigation and remediation takes place to deal with any contamination present across the site, contaminated land conditions are required and they are recommended accordingly.

344. Subject to the conditions recommended above it is considered that the scheme is compliant with the requirements of Policy L5 of the Core Strategy and the NPPF.

## OTHER MATTERS

345. A number of comments received in relation to the first round of neighbour consultation carried out in March 2020 related to concerns about the impact of Covid 19 on procedural matters. A second full 21 day neighbour re-consultation has been carried out in order that residents have had time to further consider the proposals. In addition, the application is being considered by the Planning and Development Management Committee at a public meeting and is not being determined under delegated powers. The Council has fulfilled its statutory requirements in relation to consultation and publicity.

346. Comments have been received which state that the site should have been included in the Civic Quarter Plan. The site is not located in the Civic Quarter Masterplan and such comments are a matter for the Civic Quarter AAP consultation process and not for the consideration of this specific application.

347. In relation to comments that the development should be kept clean, the site would be operated by a management company who would be responsible for this.

348. It is not considered to be the case that apartments by their nature, result in substandard conditions for occupiers and transient communities. This development has been designed to provide good quality accommodation to address local housing need. This reflects Government advice in relation to the provision of high density developments in sustainable locations close to transport links and local services.

349. With regards to the issues raised by the adjacent landowner, the Council has facilitated contact between the two parties and it is understood that discussions have since taken place. It is considered that this is essentially a private matter between the two parties and for the reasons set out under the 'Principle' section of this report it is not considered that the proposal is contrary to policy.

## DEVELOPER CONTRIBUTIONS AND VIABILITY

### Community Infrastructure Levy (CIL)

350. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the cold charging zone for residential development, consequently private

market houses will be liable to a CIL charge rate of £20 per square metre, and apartments will be liable to a CIL charge rate of £0 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

351. However developments that provide affordable housing can apply for relief from paying CIL on those affordable units. Subject to the relevant criteria being met, relief from paying CIL can be granted and there the CIL payments will be reduced according.

### Affordable Housing

352. The site falls within a 'Cold' market location for the purposes of applying Core Strategy Policy L2 and with the Borough now in 'Good' market conditions, this would in most cases relate to a requirement for 10 per cent of the proposed residential units provided to be delivered on an affordable basis.

353. The applicant's submitted Viability Appraisal has been reviewed by the Local Planning Authority's viability consultant and following discussions with the applicant, agreement to deliver 10 per cent on-site affordable housing (intermediate housing) in accordance with L2, has been reached to be secured via a section 106 legal agreement.

### Education

354. Policy L2.2 states that residential development will be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to schools.

355. Based on the Department for Education's 2021-22 rate per place, the calculation provided by Trafford Education shows that the expected primary pupil yield of the development would equate to a contribution of approximately £573,678. It is noted that Lostock School has sufficient permanent vacancies to accommodate the secondary yield of the proposed development. Therefore a secondary contribution will not be required in this instance. The applicant has agreed to provide the full education contribution of £573,678 to be secured via a section 106 legal agreement.

### Health

356. Policy L2.2 states that residential development will be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to health facilities.

357. No healthcare facilities are proposed as part of the development and as such, it is necessary to consider whether a financial contribution towards off-site improvements would be appropriate. Trafford CCG has been consulted and advises that Old Trafford and North Trafford Medical Practices on Seymour Grove and the

Limelight Health and Wellbeing Hub on Shrewsbury Street are all in the vicinity of the application site and have the capacity to absorb the residents generated by this development. Consequently no financial contribution is sought towards health provision.

### Open Space and Sport

358. Core Strategy Policy L8 states that the Council will seek contributions towards Spatial Green Infrastructure, such as parks, play areas and outdoor sports facilities. SPD1 accepts that if a sufficient level of local open space cannot be provided on site, off-site improvements to nearby open space can be made by way of a financial contribution.

359. As set out elsewhere in this report the proposed on-site open space provision includes both internal and external communal amenity spaces and this includes areas of open space and informal play provision.

360. In total 5131 m<sup>2</sup> of amenity space would be provided although only 4478 m<sup>2</sup> is considered to constitute policy compliant local open space. 436 m<sup>2</sup> of play space provision is proposed. Whilst this is considered to be a reasonable amount for a site of this size, the level of open space and play provision does fall short of the level set out in Core Strategy Policy R2 and SPD1, largely due to the high density of development proposed. For the same reason no formal outdoor sports provision is proposed on the site.

361. The relevant policy documents advise that the development should provide approximately 8289 m<sup>2</sup> of recreational open space on site and 570 m<sup>2</sup> of play provision on site. This would represent a small shortfall of 3,811 m<sup>2</sup> of open space and 134 m<sup>2</sup> of play provision.

362. SPD1 accepts that if a sufficient level of local open space, play space provision or outdoor sport facilities cannot be provided on site, off-site improvements to nearby open space and facilities can be made by way of a financial contribution.

363. The required contributions payable have been calculated as follows based on SPD1:

Open Space provision - £45,617.67  
Play Space provision - £36,271

364. Based on Sport England Assessment of outdoor sports provision and information contained within the Council's adopted Playing Pitch Strategy the following contribution has been calculated:-

Outdoor sport provision - £208,866 (pitch cost of £184,903 and associated lifecycle cost of £23,963).

365. The applicant's submitted Viability Appraisal has demonstrated that payment of a spatial green infrastructure contribution in addition to the provision of policy compliant on-site affordable housing and education contributions, would not enable the development to be viably delivered.

366. Overall it is considered that the development will contribute on a reasonable scale to open space and informal play facilities on-site and the site is within a ward where there is significant access to open space due to the existence of large parks and open spaces. It is however acknowledged that that the proposed provision does not comply fully with the requirements of SPD1. Similarly no outdoor sports provision is provided on site.

367. The viability position has been assessed and is accepted based on the submitted information and it is considered that the need for affordable housing and education contributions are greater in this location. Therefore when the viability position is taken into account and the shortfall in the provision of local open space and outdoor sport facilities is weighed against the benefits of the scheme as a whole the proposal is considered acceptable. It is however the case that the lack of a financial contribution toward open space and sports would result in a level of harm and will be considered as part of the overall planning balance below.

#### Summary of developer contributions

368. Following a robust review of the submitted Viability Appraisal and subsequent discussions between the Local Planning Authority and the applicant, together with their respective viability consultants, Officers are satisfied that the maximum viable level of developer contributions will be provided. This comprises a policy complaint 10 per cent of on-site affordable housing (intermediate housing), together with a financial contribution of £573,678 towards primary education provision in the area.

369. Officers are satisfied that the appraisal has demonstrated that any greater level of contributions would render the scheme unviable and given the benefits of the scheme as a whole listed elsewhere in this report, it is considered that the proposed level of contribution should be supported. The lack of a financial contribution toward open space and sports provision are however noted and this would result in some adverse impact and this will be considered as part of the overall planning balance below.

### **PLANNING BALANCE AND CONCLUSION**

370. Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

371. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process. As the Council does not have a five year supply of housing land, the tilted balance in Paragraph 11 of the NPPF is engaged. An assessment of the scheme against Paragraph 11(d)(i) does not suggest that there is a clear reason for refusal of the application when considering habitat protection, heritage or flood risk.

372. The proposal complies with the development plan which would indicate that planning permission should be granted. There are no material considerations, either in the NPPF or otherwise which would suggest a different decision should be reached.

373. However, as the tilted balance in Paragraph 11 of the NPPF is triggered it is necessary to carry out an assessment of whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits.

#### Adverse Impacts

374. The following adverse impacts of granting permission have been identified:

- Minor harm to the setting of Old Trafford Bowling Club, a non-designated heritage asset. This represents 'less than substantial harm' in NPPF terms.
- Lack of contributions towards off-site open space, play space and sports provision which has raised a non-statutory objection from Sport England
- Amenity impacts on future occupiers of the development are not fully compliant with the guidelines set out in SPG1 resulting in minor harm

375. These adverse impacts must be assessed as to whether they outweigh the benefits of granting permission when assessed against the policies in the NPPF as a whole.

#### Scheme Benefits

376. The main benefits that would be delivered by the proposed development are considered to be as follows: -

- The delivery of 367 no. new homes on a brownfield site in a highly sustainable location. The proposals would contribute significantly towards addressing the identified housing land supply shortfall and the Council's policy aspiration to maximise the use of previously developed land for housing. Substantial weight has been given to this benefit and the contribution of the development to the regeneration of the area.

- 10 per cent of the total number of dwellings will be delivered as affordable units on-site and substantial weight is afforded to this.
- Provision of the full contribution required towards the improvement of off-site primary education facilities.
- Delivery of a well-designed, high quality development for future occupiers
- The proposals would maximise the benefits associated with a brownfield site in a highly accessible location, re-using significant areas of previously developed land, for housing which will contribute positively to the Council's policy aspiration to maximise the use of previously developed land for housing.
- Biodiversity improvements and significant tree planting
- Social and environmental benefits associated with the provision of on-site publicly accessible open space and public realm
- New homes bonus
- Improved pedestrian and cycle connectivity
- Economic benefits that will flow from construction and occupation. Additional expenditure into the local economy will support existing services in the area.

### Conclusion

377. The main adverse impacts, relate to the inability of the development to provide a contribution towards off site open space and sports improvements and the less than substantial harm identified to a non-designated heritage asset.

378. The benefits arising from the scheme are numerous and a number of them can be given significant weight. Substantial weight is given to the contribution the scheme will make to the Council's five year housing land supply, the high quality development of previously developed land in a highly sustainable location and the regenerative benefits of the scheme overall. Substantial weight is also afforded to the provision of on-site affordable housing provision and full education contribution. Significant weight is also given to the economic benefits of the scheme, arising both during construction and following completion of the development. Weight is also afforded to the other benefits listed above.

379. Having carried out the weighted balancing exercise under Paragraph 11 (d)(ii) of the NPPF, it is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of doing so. Indeed

the benefits of the scheme are considered to significantly outweigh the adverse impacts identified above. The application is therefore recommended for approval.

## **RECOMMENDATION**

That Members resolve that they would be **MINDED TO GRANT** planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development as follows:-

(i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:

- The provision of 10 per cent affordable housing on site
- A financial contribution of £573,678 towards off-site primary education facilities;
- A commitment to undertake and/or fund parking surveys on surrounding streets and where necessary, to seek and fund Traffic Regulation Orders and extensions to resident parking schemes.
- The retention of Tim Groom Architects in the role of design certifier throughout the construction period, or alternatively to secure a commuted sum to cover the professional fees required to enable the local planning authority and developer to work together to secure the involvement of an architectural practice of their choice in the role of design certifier;

(ii) To carry out minor drafting amendments to any planning condition.

(iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.

(iv) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions (unless amended by (ii) above):

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:-

DR\_A\_0300 – Ground Floor Plan P5

DR\_A\_0301- First Floor Plan P4  
DR\_A\_0302 - Second Floor Plan P4  
DR\_A\_0303 -Third Floor Plan P4  
DR\_A\_0304 - Fourth Floor Plan P4  
DR\_A\_0305 - Fifth Floor Plan P4  
DR\_A\_0306 - Sixth Floor Plan P5  
DR\_A\_0307 - Seventh Floor Plan P5  
DR\_A\_0308 - Eighth Floor Plan P5  
DR\_A\_0309 - Ninth Floor Plan P5  
DR\_A\_0310 - Tenth Floor Plan P5

DR\_A\_0400 - Site Section AA & BB P3  
DR\_A\_0401 - Site Section CC & DD P3

DR\_A\_0500 - East & West Elevation - Skerton Road P5  
DR\_A\_0501 - East Elevation - Internal Street P5  
DR\_A\_0502 - North & South Elevations P5

DR\_A\_0510 - Detailed Strip Elevations P3  
DR\_A\_0511 - Town House Types P3

DR\_A\_0520 - GA Elevations Block A P3  
DR\_A\_0521 - GA Elevations Block B (1) P5  
DR\_A\_0522 - GA Elevations Block B (2) P4  
DR\_A\_0523 - GA Elevations Block C P4  
DR\_A\_0524 - GA Elevations Block D P4  
DR\_A\_0525 - GA Elevations Block E P4

DR\_A\_2100 – Strip Sections A1-A3 P1  
DR\_A\_2101 – Strip Sections D1-D2 P1

DR\_A\_1001 – Street Views P2  
DR\_A\_1002 – Clubhouse Views P1  
DR\_A\_1005 – Clubhouse Views 02 P1  
DR\_A\_1006 – Clubhouse Views 03 P1  
DR\_A\_1007 – CGI View P3  
DR\_A\_1008 – CGI Townhouse P2  
DR\_A\_1010 - Axo Upper Floors P2

CGI\_A\_00\_P1\_VIEW 1 P1  
CGI\_A\_00\_P1\_VIEW 2 P1  
CGI\_A\_00\_P1\_VIEW 3 P1  
CGI\_A\_00\_P1\_VIEW 4 P1  
CGI\_A\_00\_P1\_VIEW 5 P1  
CGI\_A\_00\_P1\_VIEW 6 P1

UG\_384\_LAN\_DET\_DRW\_06 P01 – Town House Front Garden  
UG\_384\_LAN\_GA\_DRW\_01 P03 - General Arrangement  
UG\_384\_LAN\_HL\_DRW\_02 P03 – Hard Landscape Plan  
UG\_384\_LAN\_SL\_DRW\_03 P03 - Soft Landscape Plan

SK21975-102 - Swept Path Analysis Western Access - Elsinore Road  
SK21975-201 – Highway Stopping Up and Improvement Proposals

TB-REN-ZZ-00-DR-C-0050 Rev. P03 (Below Ground Drainage Strategy)  
TB-REN-ZZ-00-DR-C-0056 Rev. P01 (Blue Roof Storage Estimates)

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application, no above-ground construction works shall take place until samples and full specifications of all materials to be used externally on all parts of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The specifications shall include the type, colour and texture of the materials. The samples shall include constructed panels of all proposed brickwork illustrating the type of joint, the type of bonding and the colour of the mortar to be used, with these panels available on site for inspection, and retained for the duration of the build. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. No above-ground construction works shall take place unless and until a detailed façade schedule for all elevations of the building has first been submitted to and approved in writing by the local planning authority. The schedule shall be provided in tabulated form with cross referencing to submitted drawings, include the provision of further additional drawings and the building of sample panels on site as necessary and shall include:
  - (i) All brickwork detailing
  - (ii) All fenestration details and recesses
  - (iii) All entrances into the buildings
  - (iv) The siting of any equipment on the roofs of the development
  - (v) The means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the building
  - (vi) The siting of any external façade structures such as meter boxes

Development shall proceed in accordance with the approved detailed façade schedule.

Reason: In the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Core Strategy Policy L7 and the National Planning Policy Framework

5. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works including green / brown roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a full specification of all boundary treatments across the site, details of street furniture and play equipment, the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works. Any trees to be planted must have adequate rooting volume available to so that they can grow for the whole of their lifespan. Where this is not possible, raft systems shall be used, details of which shall be provided, including technical drawings of the type of system to be used, the area that the system will cover and the type and volume of soil to be used (structural soils will not be acceptable).  
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.  
(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

6. The development hereby approved shall not be occupied until a schedule of landscape maintenance for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

7. No above ground construction works shall take place unless and until a Movement, Parking and Servicing Management Strategy for the development has been submitted to and approved in writing by the Local Planning Authority. This shall

include plans showing details of the areas for the movement, loading, unloading and parking of vehicles. The submitted Strategy shall also include details of how any parking spaces will be allocated and appropriately managed and shall include details for the provision, access and management of disabled parking facilities and servicing arrangements. The approved Strategy shall be implemented upon first occupation of the development and adhered to at all times thereafter.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy, Supplementary Planning Document 3: Parking Standards and Design and the National Planning Policy Framework.

8. Notwithstanding the details shown on the approved plans no dwellings shall be occupied unless and details of the proposed secure cycle storage for each block has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

Reason: To ensure that satisfactory cycle parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design and the National Planning Policy Framework.

9. No above-ground construction works shall take place unless and until detailed plans and a schedule of necessary highway works (including a timetable for the works) have been submitted to and approved by the Local Planning Authority. The works shall include:
  - reinstatement of redundant vehicular crossovers to adoptable standard
  - relocation of street lighting columns
  - provision of new vehicular crossovers to adoptable standards

Development shall be carried out in accordance with the approved details and timetable and retained thereafter.

Reason: In the interests of highway safety and visual amenity having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. Within 6 months of the first date of occupation of the development hereby permitted a full Travel Plan, shall be submitted to and approved in writing by the local planning authority. The plan shall include :
  - Realistic and quantifiable targets to reduce car travel and increase use of non-car modes;
  - Targets to be continuously reviewed and monitored against the baseline which will be established within 3 (three)-months of the first date of occupation;

- Effective measures and incentives to promote sustainable transport options for residents and visitors;
- Residents travel surveys to be completed every 12 months from the date of first occupation.

The approved Full Travel Plan shall thereafter be implemented for a period of not less than 10 (ten) years from the first date of operation.

Reason: To reduce car travel to and from the site in the interests of sustainability and highway safety, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

11. Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, no development shall take place until an investigation and risk assessment in relation to contamination on site (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place other than the excluded works listed above. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.
- iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken
- v) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall thereafter be carried out in full accordance with the approved remediation strategy before the first occupation of the development hereby approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The assessment is required prior to development taking place on site to mitigate risks to site operatives.



14. Prior to first occupation of the development hereby permitted, a management and maintenance plan for the sustainable drainage scheme for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To prevent increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. The site shall be drained via separate systems for the disposal of foul and surface water.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

16. Prior to any above ground construction work first taking place, a scheme detailing the Biodiversity Enhancement Measures proposed on the site, which shall include bat and bird boxes / bricks and bug hotels, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and retained thereafter.

Reason: In order to enhance the biodiversity of the site and to mitigate any potential loss of habitat having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

17. The development hereby approved shall not be occupied or brought into use until full details of the provision of at least one electric vehicle (EV) charge point (minimum 7kWh) for every residential dwelling with dedicated parking or one electric vehicle (EV) charge point (minimum 7kWh) for every 10 car parking spaces for unallocated parking has been submitted to and approved in writing by the Local Planning Authority. The EV charging facilities shall thereafter be installed in accordance with the approved details before the development is first occupied or brought into use and retained thereafter in working order.

Reason: In the interests of environmental protection having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

18. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within sections 3.3 of the submitted Crime Impact Statement Version B: 28/02/20 Reference: 2020/0054/CIS/01 and the

physical security specifications set out in section 4 of that document. The approved measures shall be retained and maintained thereafter.

Reason: In the interests of crime prevention and community safety, having regard to Core Strategy Policy L7 and the National Planning Policy Framework.

19. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the demolition/construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors (all within the site)
- ii. loading and unloading of plant and materials (all within the site) including times of access/egress
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoardings including decorative displays and information for members of the public, including contact details of the site manager
- v. wheel washing facilities, including measures for keeping the highway clean
- vi. a scheme for recycling/disposing of waste resulting from demolition and construction works
- vii. proposed days and hours of demolition and construction activity (in accordance with Trafford Councils recommended hours of operation for construction works)
- viii. measures to prevent disturbance to adjacent dwellings from noise and vibration and details as to how this will be monitored, including the impact of any piling activity and plant such as generators,
- ix. measures to control the emission of dust and dirt throughout the demolition, earthworks and construction phases of the development and procedures to be adopted in response to complaints of fugitive dust emissions. The measures shall reflect the Fugitive Dust Emission Mitigation Measures detailed in the Air Quality Assessment prepared by Redmore Environmental Ltd. (Ref: 2932 r3, 25th February 2020)

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway and in the interests of air quality having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity and highway impacts.

20. Prior to the development being brought into use, a waste management strategy shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include hours for collection or disposal and details of bin stores for both the gym, clubhouse and residential units, which shall include accommodation for separate recycling receptacles in addition to other household

waste. The details / measures set out in the approved scheme shall be implemented and adhered to thereafter.

Reason: In the interest of highway safety and residential amenity and to ensure satisfactory arrangements are in place for the disposal of refuse (including recyclables), having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. No above ground construction works shall take place until a full external lighting scheme and a Lighting Impact Assessment has been submitted to and approved in writing by the Local Planning Authority in respect of exterior lighting installations. The assessment should demonstrate that the impact of proposed exterior lighting into habitable windows, either within or off-site, would be within acceptable margins, in compliance with the Institution of Lighting Professionals' Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'. The approved details, including any necessary mitigation measures, shall be implemented in full before the development hereby permitted is first occupied and shall be retained thereafter in working order.

Reason: In the interests of residential amenity and safety having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

22. No above ground construction works shall take place until a strategy for energy efficiency and low/zero carbon technologies for the development has been submitted to and approved in writing by the Local Planning Authority. This strategy shall demonstrate how carbon emissions of at least 30 per cent below the Building Regulations Target Emissions Rate shall be achieved. The approved strategy shall be implemented in full prior to first occupation of the development hereby permitted or in accordance with a phased approach that has first been submitted to and agreed in writing by the Local Planning Authority and shall be retained thereafter.

Reason: In the interests of achieving a reduction in carbon emissions, having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

23. No works to the superstructure above ground floor slab (excluding the core) or to the envelope of the residential apartments shall take place until an external noise mitigation scheme for the residential apartments has been submitted to and approved in writing by the Local Planning Authority. The scheme shall, as a minimum, demonstrate the following:

- Detailed (1/1 and 1/3 octave band) sound reduction performance specifications for the external walls, windows and exterior doors
- Calculations to demonstrate compliance with the internal noise level criteria of section 9.2 of the Noise Impact Assessment (NIA) prepared by Hann Tucker Associates Ltd. (ref: 26911/NIA1, date: 13 May 2020)

- Calculations to demonstrate that external industrial noise ingress to the residential apartments will not exceed an internal noise limit derived from a subtraction of 5 dB from Noise Rating curve NR25 in each 1/1 octave band spectrum
- A strategy for the alternative means of ventilation of the residential apartments and mitigation measures to address the possibility of overheating, where windows and doors are required to remain closed, in order to achieve compliance with the above internal noise criteria and having regard to the ANC / IOA Acoustics Ventilation and Overheating Residential Design Guide (January 2020 Version 1.1)
- Details of measures to protect outdoor living areas, including apartment balconies intended to be used by residents for relaxation and recreation, from excessive noise impact

All mitigation measures shall be installed in accordance with the approved scheme, and a verification report providing sufficient information to demonstrate compliance with this requirement, shall be submitted to and approved in writing by the Local Planning Authority before any of the residential apartments hereby approved are occupied.

Reason: In the interests of residential amenity having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

24. Prior to the first occupation of the development hereby permitted, a report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how the noise level (LAr) from all external fixed plant and machinery, when rated in accordance with BS 4142: 2014, will not exceed 44dB between 07:00-23:00 hrs and 38dB between 23:00-07:00 hrs at 1m from residential windows. Any mitigation measures required to achieve compliance with this requirement shall be retained thereafter in working order.

Reason: In the interests of residential amenity and safety having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

25. Prior to the first operation of the 'Clubhouse' at the development hereby permitted, a Clubhouse Operator's Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall detail controls to protect local residential amenity (including hours of use) from undue impact, including from any entertainment, organised activities and events, the use of external areas by users and from servicing, waste collections and deliveries. The operation of the Clubhouse shall be in carried out in accordance with the approved Operator's Management Plan thereafter.

Reason: In the interests of residential amenity and safety having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

26. No development shall take place until details of the ground floor slab for the gym/amenity space have been submitted to and approved in writing by the Local Planning Authority. The submitted information shall demonstrate that the slab will be sufficiently isolated from the remaining structure in order to suitably restrict the transfer of structural-borne noise from the operation of the gym/amenity space to adjoining dwellings. Development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of residential amenity and safety having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

27. Prior to any works taking place to the superstructure above ground floor slab (excluding the core), an assessment of the noise impact from the operation of the gym/amenity space into adjoining and adjacent dwellings shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall detail a scheme of mitigation measures to suitably address any potential for adverse noise impact. The approved mitigation scheme shall be implemented prior to the first operation of the gym/amenity space and retained thereafter in working order.

Reason: In the interests of residential amenity and safety having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

28. The use of parts of the development as a Clubhouse and Gym shall remain ancillary to the main residential use of the wider development hereby permitted and shall not be occupied or operated independently of the main residential use of the site.

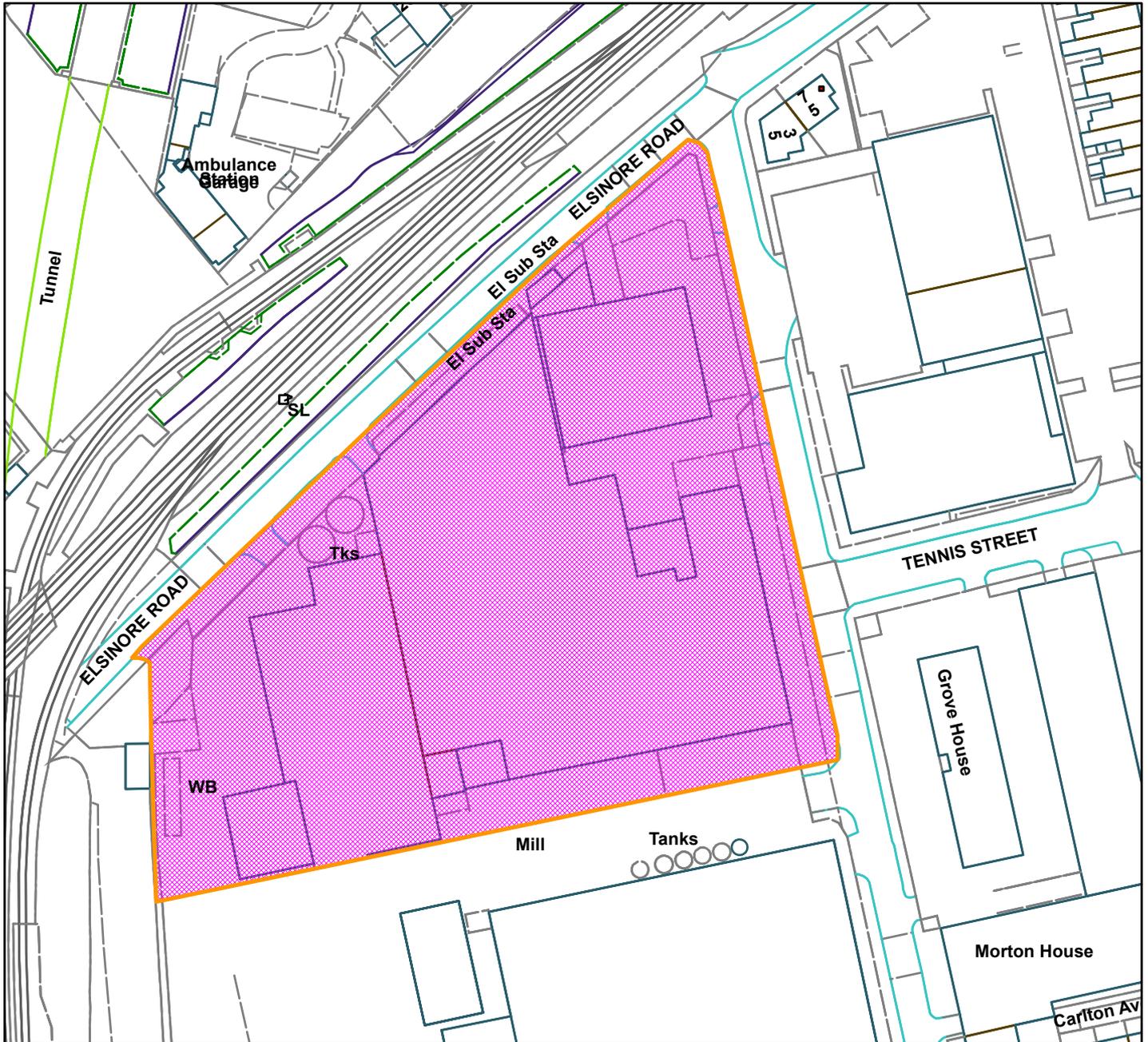
Reason: To prevent the establishment of a separate Clubhouse or Gym operation in the interests of the residential amenities of the area, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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JJ



Land Bound By Elsinore Road And Skerton Road, Stretford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 15/10/2020
Date	06/10/2020
MSA Number	100023172 (2012)

**Alterations to existing dwelling to form 2no. dwellings. Remodelling works to include; raising of ridge height from 7.8m to 9m, 2 and 2.5 storey extensions to front, part two storey, part single storey extensions to the rear and side and 2 no. dormers to the rear, associated external works and alterations to existing garage to form a double carport.**

165A Marsland Road, Sale, M33 3WE

**APPLICANT:** Mr Middlebrook

**AGENT:** Howard & Seddon ARIBA

**RECOMMENDATION: GRANT**

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## **SITE**

The site is currently host to a five bedroomed detached dwelling known as no.165A Marsland Road. The property is situated to the rear of 165 Marsland Road, a semi-detached dwelling fronting onto the public highway. The site is accessed via a shared access to the side of 165 Marsland Road with parking provided in a detached garage to the front of the dwelling. This site would have once formed part of the larger curtilage associated with no. 165.

The site is relatively level with mature tree/hedgerow planted boundaries to the rear (south) and side (west) boundaries and fence line along the side (east) boundary. There are three notable trees in the rear garden.

The site is characterised by residential property with private dwellings on all side and a block of apartments (Saxon Court) to the front and side of the site.

## **PROPOSAL**

Permission is sought for the creation of two dwellings through external alterations and extensions to the existing building as follows:

- Raising ridge height from 7.8 metres to 9 metres;
- Extensions to front, side and rear;
- 2 no. dormer windows to rear to facilitate roof space accommodation;
- Alterations to existing garage to form double car port;
- Associated external works.

## **DEVELOPMENT PLAN**

**For the purposes of this application the Development Plan in Trafford comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

### **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 - Land for New Houses;

L2 - Meeting Housing Needs;

L4 - Sustainable Transport and Accessibility;

L5 – Climate Change

L7 - Design;

L8 - Planning Obligations;

For the purpose of the determination of this planning application, Policy L1 is considered to be partly out of date and Policy L2 is considered out of date in NPPF Paragraph 11 terms. This is addressed in more detail in the Principle section of this report. Policies L4, L7, and L8 are considered 'up to date' in NPPF Paragraph 11 terms.

### **PROPOSALS MAP NOTATION**

None

### **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

None

### **SUPPLEMENTARY PLANNING GUIDANCE**

Revised SPD1 - Planning Obligations;

SPD3- Parking Standards & Design;

SPD4- Extensions

PG1 - New Residential Development

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on

31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in autumn/winter 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

### **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The DCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. The NPPF will be referred to as appropriate in the report.

### **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

DCLG published the National Planning Practice Guidance on 6 March 2014, and is updated regularly. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

99328/FUL/19 – Alterations to existing dwelling to form 2 no. dwellings. Remodelling works to include; raising of ridge height from 7.8m to 9m, 2 and 2.5 storey extensions to front, part two storey, part single storey extensions to the rear and side and 3 no. dormers to the rear, associated external works and alterations to existing garage to form a double carport.

Refused 27 January 2020 for the following reason:

- 1. The application has failed to demonstrate that the proposed development would not have a detrimental impact on Schedule 2 protected bat species or their roosting habit. On this basis it is not possible to conclude that the development would not result in loss or harm to individual species, or disturbance and/or loss of their breeding site, or resting place. Therefore the development would fail to accord with the NPPF, NPPG, Policy R2 of the Trafford Core Strategy and the Conservation of Habitats and Species Regulations (2017) (as amended).*

98041/FUL/19 - Erection of a pair of two storey semi-detached houses with accommodation within the roof space, including associated car parking, new vehicular accesses, landscaping and boundary treatment – Withdrawn

### **APPLICANT'S SUBMISSION**

The following documents have been submitted in support of the application:

- Design and Access Statement;
- Ecological Impact Assessment;
- Dusk Survey

- Arboricultural Impact Assessment;

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

Letters of representation have been received from 6 neighbouring properties. The main points raised are summarised as follows:

- The plans are not up to date – changes made to 3 Greystoke Avenue in the 1990's are missing, the Chapel was demolished in the 90's. Other details are wrong e.g. they refer to 3 not 2 dormer windows on the first floor instead of the second;
- Increased overlooking of neighbouring properties from this infill plot;
- Loss of privacy and amenity;
- Increased disturbance from change from one family to two;
- Overdevelopment;
- Cramped development with inadequate private garden space;
- Out of character with surrounding detached properties with large plots;
- Loss of light and overshadowing;
- Increased traffic with associated increases in noise and pollution;
- Major disruption during construction phase;
- Adverse impact on biodiversity and landscape features;
- Would be beneficial to have tree number T11 removed as it is diseased and the leaf canopy overhangs the neighbouring garage with leaf litter and seed pods falling onto the garage roof;
- Adverse impact on property value;

## **OBSERVATIONS**

### **BACKGROUND**

1. Permission for the same development proposal as the current application (ref 99328/FUL/19) was refused in January 2020 as the application had failed to demonstrate that the proposed development would not have a detrimental impact on Schedule 2 protected bat species or their roosting habitat.
2. As part of the previous application the applicant provided an assessment in relation to impacts on bats and breeding birds.. The assessment concluded that the property holds 'moderate' bat roost suitability. On this basis the applicants ecologist recommended that two dusk and/or dawn emergence/re-entry surveys were to be conducted during the active season of bats (May-August) prior to development in order to establish if the building is being used by bats, and if so to identify species, abundance, roost locations and flight lines following emergence/re-entry.

3. As part of the assessment process Greater Manchester Ecology Unit (GMEU) were consulted. They confirmed, given the findings and conclusion of the applicant's ecologist further survey work would be required prior to determination.
4. The applicant's agent was informed of the need to provide this further survey work prior to determination. In response they stated due to time constraints in getting further survey work commissioned they were not willing to wait and provide same. It was requested that the matter was dealt with by way of a pre-commencement condition.
5. Regard was given to Government Guidance on Protected Species: How to review planning applications (October 2014) and Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System. It was considered that without the further surveys prior to determination the Local Planning Authority would be failing to exercise its duty under the Regulations. To take such an approach would compromise the planning authority and potentially put at risk European Protected Species. The application was refused on this basis.
6. Further survey work has now been carried out and submitted with the current application. The rest of the application remains as per the original submission under 99328/FUL/19.

## PRINCIPLE OF DEVELOPMENT

7. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an **up to date** (emphasis added) development plan, permission should not normally be granted.
8. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. Nevertheless, without a five year housing land supply, where applications include housing development, the NPPF advises in Paragraph 11 and the associated footnotes that all relevant development plan policies should be deemed to be out of date. This means that unless NPPF policy that protects areas or assets of particular importance provides a clear reason for refusing the development proposed the tilted balance is engaged i.e. any adverse impacts of granting planning

permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. For the avoidance of doubt, there are no NPPF policies which provide a clear reason for refusing this scheme and so the tilted balance is engaged.

9. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

## **Housing Land Supply**

10. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK, and local planning authorities (LPAs) are required to support the Government's objective of significantly boosting the supply of homes. The responsibility of local planning authorities in supporting the Government's ambitions include identifying and updating annually a supply of specific deliverable sites to provide five years' worth of housing against their housing requirement. However, latest housing land monitoring for Trafford indicates a supply of only some 2.4 years.
11. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. The proposal would deliver one new residential unit. Whilst this is a modest figure in the context of the overall housing requirement, nonetheless the proposal would make some contribution to housing supply targets, and would deliver new housing on an unexpected 'windfall' brownfield site. The site is located in a sustainable location with good links to public transport and local services. The site can therefore be considered to be a suitable and sustainable location for meeting housing need as set out in the NPPF.
12. The NPPF also requires policies and decisions to support development that makes efficient use of land. In this respect, the NPPF, at paragraph 118, gives substantial weight to the value of using suitable previously developed land within established locations to provide new homes.
13. Whilst the scheme provides only one (net) dwelling it is below the national threshold requiring the provision of affordable housing. Given it would support housing and brownfield targets in an appropriate location weighs in its favour. In acknowledging that 'the presumption in favour of sustainable development' applies to this application, the significance of this benefit will be returned to in due course as part of the planning balance.

## DESIGN AND IMPACT ON THE STREETSCENE

14. Paragraph 124 of the NPPF states that *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. Paragraph 130 states that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”*.
15. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”*.
16. The Council’s adopted planning guidance for new residential development (PG1) notes that *“development should complement the characteristics of the surrounding area”* and that *“if a taller building is to be allowed it will normally need significantly more space around it than would a lower building for it to be properly assimilated in the area”*.
17. The proposed development would see the existing dwelling remodelled and extended to provide two, five bed dwellings. The bulk of the additional floor area will be created through extending upwards and rearwards although additional space will also be created to the side and front.
18. The extension of the existing property would extend it closer to the site boundaries. However given the scale of the existing plot and design of the extensions it is considered that the dwellings would not appear cramped within the plot, set away from the side boundaries and with adequate gardens to the rear of each of the proposed dwellings, at approximately 98sqm each.
19. The existing external materials finishes consist of brick and render on the external walls with the flat grey/black roof tiles. It is proposed to finish the new built elements in render. This would be an inconsistent finish with the buildings surrounding the site and the wider area character. In this regard the development should incorporate brick into the overall scheme and significantly reduce the amount of render proposed. As such in the event of an approval it will be necessary to include a condition for all materials to be agreed prior to any works above ground level.

20. The existing dwelling already has two front projections and whilst the extensions would add to this it is considered that the proposal provides a more balanced appearance to the property, which would be distinguishable as two properties. The proposed extensions to the front and rear of the property, whilst alter the form and massing of the existing dwelling are considered to have been sensitively designed for the character of the area and scale of the plot. The change in height to allow for living accommodation within the roof is not considered to unbalance the appearance of the property, but to be proportionate and appropriately designed. Whilst materials require further approval the simple fenestration and subservient additions provide a scheme that would enable an increase in housing provision, albeit only a very minimal increase, that is considered appropriate within the setting.
21. Subject to the agreement of final material finishes it is considered that the development would improve the overall appearance of the existing building and therefore have a positive effect on the wider area.
22. The proposed works to the existing garage are relatively minor. The applicant proposes to remove the existing vehicular garage personal doors to make a more accessible car port. These works are considered acceptable.
23. The submitted Tree Survey/Arboricultural Impact Assessment and Tree Protection Plan indicates that one tree, a holly in fair condition will needed to be removed to facilitate the development of the rear extension. These details have been assessed by the Council's Tree Officer who has raised no objection subject to a condition relating to tree protection for those trees shown to be retained.
24. In relation to the wider landscaping of the site the applicant has provided no detail. In this regard conditions will be needed requiring the applicant to submit a landscape scheme and boundary treatment details which will need to be agreed and implemented prior to first occupation.
25. It is considered overall that the proposed design is sympathetic to the massing and scale of the surrounding buildings. The design achieves successful balance in terms of respecting traditional features whilst incorporating more contemporary fenestration to the rear. In this regard it is considered that the proposed dwelling complies with the NPPF and the Council's Core Strategy Policy L7 in that the scheme will enhance the street scene and character of the area by having appropriately addressed scale, height, massing and detail.

### RESIDENTIAL AMENITY

26. The third party objections relating to impact on residential amenity are noted.

27. Policy L7 of the Trafford Core Strategy states that “In relation to matters of amenity protection, development must: Be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and / or disturbance, odour or in any other way”.

28. The Council’s adopted planning guidance for new residential development sets out minimum separation distances which will be sought in order to protect residential amenity. These are as follows:

- 21m between facing habitable room windows across public highways (increased by 3m for three or more storeys)
- 27m between facing habitable room windows across private gardens (increased by 3m for three or more storeys)
- 15m between a main elevation with habitable room windows and a facing blank elevation
- 10.5m between habitable room windows and garden boundaries +(increased by 3m for three or more storeys)

29. In addition to the above the Council’s supplementary guidance document SPD4 is used in assessing impact of extensions on neighbouring properties.

30. In relation to front extension paragraph 3.7.2 notes they may be acceptable if:

- *They are designed to harmonise with the character of the dwelling, and neighbouring houses, by reflecting the design, detailing, and proportions of the existing dwelling. This will often include incorporating a pitched or lean-to roof which can complement the original dwelling and lessen maintenance requirements.*
- *The materials match those on the original house. The use of different materials should be avoided or it may appear out of character with the appearance of the house or the street scene.*
- *The front door is retained in the front elevation so that the house has a legible entrance.*
- *They are modest in scale, predominantly single storey, and do not project excessively forward so as to not detract from the house or streets character.*
- *They are restricted in width so as to not detract from the design of the original house.*

31. In relation to the rear extensions paragraph 3.4.2 of SPD4 notes: *Normally, a single storey rear extension close to the boundary should not project more than*

*3m from the rear elevation of semi- detached and terraced properties and 4m for detached properties. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g, if an extension is 1m from the side boundary, the projection may be increased to 4m for a semi-detached or terraced extension).*

32. And at paragraph 3.4.3: *For two storey rear extensions, normally extensions should not normally project more than 1.5m close to a shared boundary. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g, if an extension is 1m from the side boundary, the projection may be increased to 2.5m).*
33. The proposed two storey rear extensions project out by 3 metres with approximately a 3.6 metre set in from the east boundary and approximately a 2.8 metre set in from the west boundary. The single storey rear extension projects out approximately 6 metres out from the existing rear elevation with the same separation distance as the rear first floor elements. On this basis it is considered that all rear extension elements would accord with the Council's guidance. These setbacks together with the general circulation available around the building and generous separation distance with neighbouring dwellings is considered sufficient as to not cause any meaningful negative impacts on third party residential amenities.
34. Neighbouring properties do not hold horizontal building lines with the host property. Those closest to the west are perpendicular at a distance in excess of 24 metres from the side boundary while the nearest property to the east is at an oblique angle with the rear elevation facing away from the side projection of the host property looking south west with a separation distance of approximately 35 metres. There is only one side facing window above ground level and that is looking east and would serve an en-suite, which would be conditioned as obscure glazed and as such is not considered there would be a loss of privacy to the properties to the east or west of the site.
35. Number 165 Marsland Road would have a more direct view of the proposed development with a separation distance of 37 metres at the closest point. At this distance it is considered that any impact from the increased massing and scale would be minimal. The nearest property to the rear is number 3 Greystone Avenue at over 34 metres from the original rear elevation of the subject dwelling. This property is also at an oblique angle and has mature planting along the party boundary. As such any impact would again be minor in nature.
36. The single storey side extension on the west elevation projects out by approximately 3 metres with a separation distance of approximately 1.1 metres

to the common boundary and the two storey extension by 1.5m, with a separation of 3m to the side boundary. Therefore, given the scale and separation to the boundary it is not considered that either the single or two storey side extensions would have an overbearing impact on residents in the properties to the west on George's Road.

37. The objections in relation to the raising of the height of the building are noted. The proposed works would see the ridge height rise from 7.8 metres to 9 metres. The objectors note that the proposed increase in height would detract from third party views and lead to a loss of light and cause shadow cast. It is noted that the nearest residential property is the block of apartments to the north which is offset to the east of the subject site. In this regard while residents in the apartments to the rear would have views of the property they are not directly facing.
38. Notwithstanding this there are already a number of mature trees along the boundary with the apartments which will cast shade and reduce natural light. The closest part of the proposed development to this boundary would be a front projection which would be within 4.3 metres while the highest point (ridge level) of the building would be approximately 9.8 metres from this boundary. In this regard it is considered that any shadow cast would be retained within the building plot and would not cause any undue harm on the apartment block.
39. The application does not include any details as regards proposed waste storage. This detail would be required prior to first occupation of the dwellings to ensure a suitable location is found on site which will not be to the detriment of neighbouring properties either in terms of noise or odour generation.
40. For the reasons set out above, it is considered that the proposal would not have a detrimental impact on the amenities of the neighbouring properties and would therefore accord with local CS policy L7 and national policy contained in the NPPF.

## PARKING AND HIGHWAYS

41. Paragraph 109 of the NPPF notes that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
42. Policy L4.6 of the Core Strategy states *“The Council will protect and support the maintenance and improvement of the Strategic Road Network and the Primary and Local Highway Authority Network, to ensure they operate in a safe, efficient and environmentally sustainable manner.”*

43. The application will see the existing detached, 5 bedroom property become two separate 5 bedroom properties over three floors. The Council's car parking standards, as set out in SPD3, require three parking spaces to serve a dwelling of this size in this location. The site layout provides this requirement with two spaces provided in the carport with a further four spaces provided in curtilage. In addition to this there is additional space on site should visitor parking be required.
44. The site layout does not detail any cycle parking, however there is sufficient space on site for cycle storage without the need to require a specific area as part of any approval.
45. In terms of the third party concerns regarding construction activity, a Construction Management Statement condition is recommended. This is to include details such as parking, deliveries, wheel washing and waste management.
46. Having regard to the above it is considered the proposal would be in accordance with the provisions of SPD3, Policy L3 of the Core Strategy and the NPPF.

## ECOLOGY/BIODIVERSITY

47. Policy R2 of the Council's Core Strategy notes '*Where the council considers it necessary, in order to protect the natural environment, developers will be required to provide an appropriate ecological assessment report to enable the Council to properly assess and determine the merits or otherwise of the development proposal.*'
48. Greater Manchester Ecology Unit (GMEU) have been consulted and their comments incorporated into the following section of this report.

### Trees

49. The proposed development involves the removal of trees. The Council's Arboriculturalist has been consulted and raises no objection. A condition is recommended for the submission of a landscaping scheme to mitigate the loss of trees on site.

### Bats

50. The building was assessed as having moderate bat roosting potential. In-line with best practice two emergence surveys have been carried out in the optimal period for such surveys. No emerging bats were identified. It was therefore concluded that there was no evidence that the building was acting as a bat roost and that reasonable survey effort had occurred. As individual bats can turn up on occasion in low risk sites it is recommended that an informative is applied to any permission requiring work to cease immediately if a bat is found and a

suitably licensed bat worker employed to assess how best to safeguard the bat(s).

### Nesting Birds

51. No evidence of nesting birds was identified but potential nesting habitat is present around the existing dwelling that is likely to be lost as a result of the development. A condition is therefore recommended preventing works to trees or shrubs during the bird nesting season (March to August).

### Mammals

52. Previously a neighbour raised concerns regarding foxes. Hedgehogs may also be present. Unfortunately foxes and hedgehogs receive no legal protection under wildlife legislation and would not be regarded as a material reason for objection from an ecological point of view. They are however protected under general mammal welfare legislation. An advisory information is therefore recommended.

### Rhododendron

53. One rhododendron was identified on the site and assumed to be *R.ponticum* listed under Schedule 9 Part 2 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to introduce or cause to grow wild any plant listed under this Schedule. However it is equally likely that the rhododendron is an ornamental variety and therefore not covered by this schedule and second it is clearly avoidable being set well back from the existing dwelling. An advisory informative is therefore recommended.

### Contributing to and Enhancing the Natural Environment

54. Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The proposed development is unlikely to have any significant negative impacts on the natural environment with impacts restricted to loss of ornamental shrubs and potential bird nesting habitat. It is considered that these issues can be mitigated through suitable replacement planting and provision of bird boxes on the retained trees which should be dealt with by way of condition.

## **DEVELOPER CONTRIBUTIONS**

55. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

56. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure in the form of six additional trees. In order to secure this, a landscaping condition will be attached to make specific reference to the need to

provide six additional trees net of clearance on site as part of the landscaping proposals.

57. No affordable housing provision is required as the development falls below the thresholds set within the Core Strategy and the NPPF.

## **PLANNING BALANCE AND CONCLUSION**

58. The proposed development would provide an additional much needed family dwelling within the Borough. All detailed matters have been assessed, including visual amenity and design, highway safety, parking, trees ecology and residential amenity. These have been found to be acceptable with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of the development (the provision of an additional residential unit that would make a small contribution to the Borough's housing supply and the economic benefit associated with the construction process) with reference to NPPF paragraph 11 (d) ii).

59. The proposal is therefore considered to be acceptable with reference to Core Strategy Policies L1, L2, L4, L5, L7, L8, R2 and R3, the Planning Obligation SPD1, the Parking Standards and Design SPD3, the New Residential Development PG1, and the NPPF.

## **RECOMMENDATION:**

### **GRANT subject to the following conditions**

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 205 Rev A; 206 Rev A; 207 Rev B and 9586/OS Rev A.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application no works involving the use of any materials listed below shall take place until samples and full specification

of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.  
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.  
(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

5. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

6. No part of the development shall be occupied [or brought into use] until details of the type, siting, design and materials to be used in the construction of boundaries,

screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

7. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March-July inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall be implemented as approved.

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

8. Prior to any above ground construction works taking place, a scheme for biodiversity enhancements at the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to the development be first brought into use and shall be retained thereafter.

Reason: To enhance the biodiversity value of the site, having regard to Policy R2 of the Trafford Core Strategy and relevant sections of the NPPF.

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities, including measures for keeping the highway clean vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. viii hours of construction activity.

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved.

Reason: To ensure that satisfactory provision is made within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order), the flat roof area of the extension hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area, and no railings, walls, parapets or other means of enclosure shall be provided on that roof unless planning permission has previously granted for such works.

Reason: To protect the privacy and amenity of the occupants of the adjacent dwellinghouse, having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the National Planning Policy Framework.

12. The development hereby approved shall not be occupied unless and until a scheme for the provision and implementation of electric vehicle charging points has first been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved scheme and retained thereafter.

Reason: In the interests of promoting sustainable travel having regard to Policies L4 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

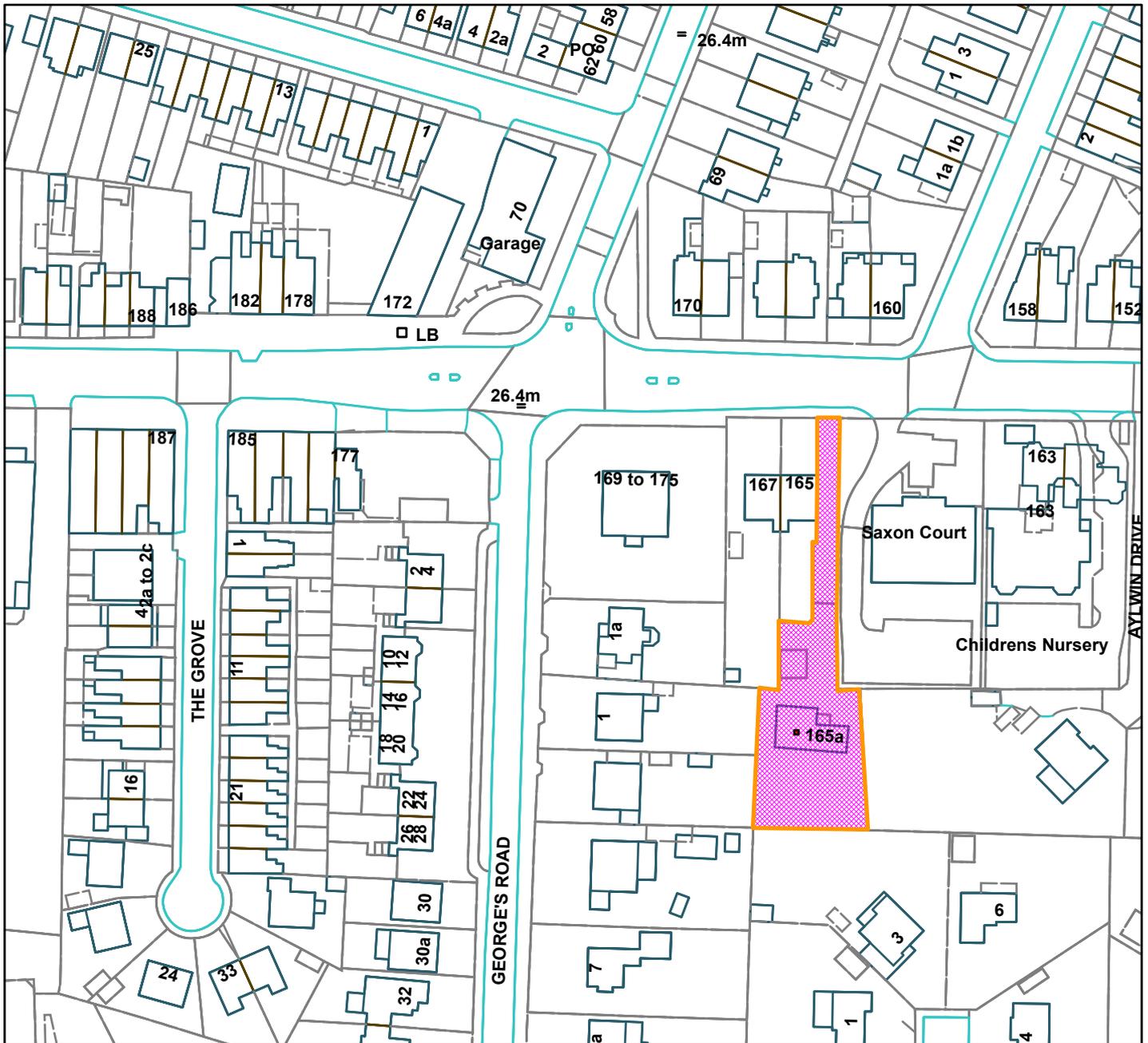
## Informatives

### 1. Bats

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165A Marsland Road, Sale (site hatched on plan)



**Scale:** 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 15/10/2020
Date	06/10/2020
MSA Number	100023172 (2012)

**Application for Variation of Conditions 2 and 3 on planning permission 95935/HHA/18 (Remodelling of existing dwelling to include the erection of: single storey front, first floor front, two storey side and front extensions including a new garage. Conversion of the garage into habitable living accommodation. Erection of a front dormer following conversion of the loft space. External alterations to the property to include new and replacement windows and doors.) to vary the approved plans to change footprint, height, internal layout and other elevational details.**

4 Woodlands, Davyhulme, M41 7AA

**APPLICANT:** Mr & Mrs Patel

**AGENT:** Q+A Planning Ltd

**RECOMMENDATION: GRANT**

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**This application has been called in by Councillor Winstanley on the grounds that it would result in loss of light and loss of privacy to No. 5 Woodlands.**

### **SITE**

The application refers to a two storey, detached property located on the north east side of Woodlands, Davyhulme. Woodlands is a small private (un-adopted) road accessed from Old Crofts Bank and comprises of 4no. detached properties, which vary in design. Furthermore, the narrow access road and trees contribute to the impression of a secluded and private area. The surrounding area is predominantly residential in nature.

At the time of the site visit – 20<sup>th</sup> July 2020 – the property had been substantially extended with works ongoing. The external appearance consists of red multi facing brickwork, windows are now grey uPVC and the roof is hipped with a shallower gradient at the eaves and includes gables. Previously, the property's external appearance consisted of dark red multi brickwork with mostly white uPVC windows and a hipped tiled roof.

### **PROPOSAL**

The application proposes to vary conditions 2 and 3 of planning permission ref: 95935/HHA/18 to allow for minor material amendments to the approved scheme drawings for the extension at No. 4 Woodlands.

The proposed alterations, which have mostly been completed, are as follows:

- Change to footprint, which involves:

- Larger porch – from 1.1m x 2.3m to 2m x 3m (D x W)
- Increased depth/front extension – depth from 8.4m to 8.7m
- Infill adjacent to garage for relocated WC
- Reduction to width of garage – from approx. 7.2m to 5.5m (excluding infill WC)– and change from double doors to single door
- Change to elevations, which include:
  - Removal of first floor extension, including oriel bay window, above front door
  - Removal of ground floor window on side lean-to extension
  - Amended windows with respect to sizes, positioning and design
  - Reduced number of bi-fold doors on rear and side elevation
  - Cill and header detail omitted
  - Additional roof lights to the eastern elevation
  - Removal of 3 no. rooflights on rear (west) elevation and addition of a large rooflight to front and rear (east and west, respectively)
  - Amended front dormer design – from flat roof to mono-pitched roof
  - Repositioning of rooflights on north side elevation (due to extended second floor area)
  - Removal of garage rear door
- Increased height of lean-to side extension, resulting in a differing roof profile – eaves height increased from 2.9m to 4.6m
- Increased height of garage – from 2.8m to 3m

Plans have been amended during the application process to accurately represent what has been built on site.

## **DEVELOPMENT PLAN**

**For the purposes of this application the Development Plan in Trafford comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford’s Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L7 – Design

## **OTHER LOCAL POLICY DOCUMENTS**

SPD3 – Parking Standards and Design

SPD4 – A Guide for Designing House Extensions & Alterations

## **PROPOSALS MAP NOTATION**

None

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

None

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in autumn 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The MHCLG published the National Planning Policy Framework (NPPF) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

DCLG published the National Planning Practice Guidance on 6 March 2014, and was updated on 1<sup>st</sup> October 2019. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

**95935/HHA/18** - Remodelling of existing dwelling to include the erection of: single storey front, first floor front, two storey side and front extensions including a new garage. Conversion of the garage into habitable living accommodation. Erection of a front dormer following conversion of the loft space. External alterations to the property to include new and replacement windows and doors.  
Approved – 18.12.2018

**94926/HHA/18** - Remodelling of the existing dwelling to include the erection of: single storey front, first floor front, two storey side and front extensions including a new garage. Conversion of the garage into habitable living accommodation. Erection of a

front dormer following conversion of the loft space. External alterations to the property to include new and replacement windows and doors.

Approved – 03.09.2018

**94145/HHA/18** - Remodelling of the existing dwelling to include the erection of: single storey front, first floor front, two storey side and front extensions including a new garage and a front juliet balcony. Conversion of the garage into habitable living accommodation. Erection of a front dormer following conversion of the loft space. External alterations to the property to include new and replacement windows and doors and the rendering of the dwelling.

Withdrawn – 29.05.2018

### **APPLICANT'S SUBMISSION**

Images of rooflights (taken internally) showing obscure glazing

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

A total of 4 letters have been received in relation to this application. Two of which are objecting to the proposed changes, whilst two are in support of the development. The following summarises the concerns raised:

- Loss of light to living room at No. 5 – due to increased height of lean-to side extension
- Loss of privacy to rear private garden at No. 5 – due to additional rooflights on side elevation
- Misleading and inaccurate plans submitted
- The development has reverted back to many components which were featured on the withdrawn planning application – 94145/HHA/18
- The adjustments are not minor
- The whole development is overbearingly dominant within the close
- The [southern] aspect, in particular, has an appreciably differing roofline profile and perception of bulkiness to that side of the development, in contrast to the opposite side (NB – representation referred to East aspect, however it is thought that the South was the intention of comments)
- Could the large skylight be obscurely glazed?
- The front window in place of the oriel window is believed to be sited lower and thus views to the underside of the stair are possible and therefore should be obscurely glazed
- Deterioration of the private road and general drainage

Additionally the neighbour highlights the strain of the development/construction works as it has been ongoing for over a year, although notes that it is not a material planning consideration. Representations also refer to the numerous planning applications submitted on this site and state that this, in their mind, has been done to achieve the maximum possible level of scale, which is not in keeping with the ambient environment on the close.

## **OBSERVATIONS**

### **BACKGROUND**

1. Section 73 of the Town and Country Planning Act 1990 allows an applicant to seek minor amendments to an approved scheme by varying the relevant condition. Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.
2. This application seeks approval under Section 73 of the Town and Country Planning Act (1990) (as amended) for minor material amendments following a grant of planning permission reference 95935/HHA/18 granted on 18<sup>th</sup> December 2018 under delegated powers. Permission was granted for Remodelling of existing dwelling to include the erection of: single storey front, first floor front, two storey side and front extensions including a new garage. Conversion of the garage into habitable living accommodation. Erection of a front dormer following conversion of the loft space. External alterations to the property to include new and replacement windows and doors.
3. Condition 2 of the approval (95935/HHA/18) states that:

*The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: (T17-05) 04 Rev C and 02 Rev E*

*Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.*

4. Condition 3 of the approval (95935/HHA/18) states that:

*The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.*

*Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework.*

5. The extensions and house re-model has not been constructed in accordance with the approved plans listed within condition 2 of permission 95935/HHA/18.. This application therefore seeks to vary this condition to approve the amendments to the extension. The development has also installed grey uPVC windows and doors, and therefore seeks to amend condition 3, which required materials to be of a similar appearance to the existing building.

## PRINCIPLE OF THE DEVELOPMENT

6. The proposal is a residential extension within the built up area and therefore needs to be assessed in terms of design and visual amenity and impact on residential amenity, having regard to Policy L7 and the NPPF.

## DESIGN AND APPEARANCE

7. Paragraphs 124 and 130 of the NPPF states: *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the **quality of approved development is not materially diminished between permission and completion**, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”* (Emphasis added)
8. Trafford Core Strategy Policy L7 states that *“In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”*.
9. The application proposes a number of alterations to the approved scheme as listed within the proposal section. The application site is located on a small private road and therefore although the site is prominent from neighbouring properties, views from the wider public domain are limited.
10. It is considered that the proposed alterations have resulted in the loss of a number of features which were considered to enhance the approved scheme, such as the window design and configuration (including the stone headers and

cills), eaves detail (particularly around the garage), stepped link connecting the garage (it is now flush with the garage and stepped in height), and double garage (including 2no. openings). The development as built has also increased the eaves height of the side lean-to extension, which has resulted in a differing roof profile. The front window has been omitted from the side extension. The changes have made this side extension more dominant, however it still remains subservient to the main house. Grey window frames have also been installed, which are considered to be acceptable in terms of visual appearance.

11. The front extension, including the porch, is slightly larger in footprint than the approved scheme, however it is now fully single storey with a mono-pitched roof.
12. Although a number of positive features have been omitted from the development, the overall scale and proportion of the extensions is similar to that previously approved. Furthermore, the changes to the external appearance would have a limited visual impact within the wider area, given the secluded and private setting of the property.
13. On balance, it is considered that the revised scheme, although missing a number of the higher quality design features previously approved, would not have an unacceptable impact on the visual appearance and character of the street scene and the surrounding area. It is therefore considered that the proposed development is acceptable in terms of design and visual amenity, having regard to Policy L7 of the Core Strategy and guidance in the NPPF.

## **RESIDENTIAL AMENITY**

14. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
15. Guidance contained within SPD4 states:
  - a. *positioning an extension too close to a neighbouring boundary can result in an uncomfortable sense of enclosure for the neighbouring property. A large expanse of brickwork can be overbearing to the amenities of a neighbouring property. Windows and gardens of neighbouring properties will be protected from undue overbearing.*
  - b. *For two storey side extensions with a blank gable wall that would face a neighbouring main habitable room window, a 15m minimum separation distance would be required.*

- c. *Extensions which would result in the windows of a habitable room (e.g. living room or bedroom) being sited less than 10.5m from the site boundary overlooking a neighbouring private garden area are not likely to be considered acceptable...(Paragraph 2.15.2)*
- d. *Window to window distances of 21m between principal elevations (habitable room windows in properties that are directly facing each other) will normally be acceptable as long as account is taken of the fact that the facing properties may need, in fairness to be extended also. (Paragraph 2.15.3)*
- e. *Windows close to a boundary that are likely to cause a loss of privacy, can sometimes be acceptable if fitted with obscure glazing and top-hung opening windows however this would not be acceptable if it was the main window providing light into a habitable room. (Paragraph 2.15.5)*

Impact to No 5 Woodlands:

16. The amended scheme has resulted in additional built form above the existing lean-to extension. This element of the development is sited approximately 2.2m from the shared boundary at a point in line with No. 5's rear elevation. The lean-to extension extends beyond the rear building line at No. 5 by approx. 2.4m and due to the layout the distance from the shared boundary increases (to approximately 3m) towards the rear.
17. It is noted that No. 5 has two small windows either side of (what appears to be) a redundant chimney breast plus two small corner/Inglenook windows towards the rear. The increased height to the side lean-to extension is considered to have an additional impact compared to the previously approved scheme, however it is not considered to have resulted in an undue loss of light or overbearing impact to the occupiers at No. 5, since the windows in the side elevation of that property are secondary windows with a large window (including a glazed door) on the rear elevation. Although not a standard two storey side/rear extension, the amended extension would be in line with guidance in relation to two storey rear extensions and it is therefore considered that its rear projection would also not result in any unacceptable overbearing or overshadowing impact on the rear windows or rear amenity space of No. 5. (SPD4, paragraph 3.4.3. *For two storey rear extensions, normally extensions should not normally project more than 1.5m close to a shared boundary. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g, if an extension is 1m from the side boundary, the projection may be increased to 2.5m).*)
18. The amended scheme has introduced a total of 4 no. additional roof lights to the side elevation facing No. 5 (south). The first floor roof lights are positioned 1.9m above finished floor level and the second floor rooflights would be 1.5m above

internal finished floor level and are obscurely glazed with restricted openings of 100mm. It is therefore considered that, subject to a condition being attached requiring the rooflights on the second floor to remain obscurely glazed with restricted openings throughout their lifetime, the development would not result in undue overlooking or loss of privacy to the occupiers at No. 5.

19. The larger porch, given its position approximately 6m distance from No. 5, is not considered to result in any harm in terms of overbearing impact or loss of light to the neighbouring property.

#### Impact to Nos. 1 & 3 Woodlands:

20. The development, including the new windows to the front elevation would be over 21m from the boundary of no.1. The distance from the garage to the shared boundary of No. 3 has increased and is between 2.8m and 3.8m. Furthermore, the proposed windows would be approximately 26.5m from the facing windows in the principal elevation of no.3. As such the proposed alterations would not result in an adverse impact to the amenity of occupiers at Nos. 1 & 3 Woodlands.

21. Given the above, it is considered the neighbouring properties on Woodlands would not be adversely harmed as a result of the proposed development, having regard to its siting, scale and form.

#### Impact to Nos. 7, 9 and 11 Ledbury Avenue:

22. The properties to the rear of the proposed development are Nos. 7 and 9 Ledbury Avenue. These dwellings are situated to the west and are non-adjointing semi-detached properties. The dwellings share a uniform building line, almost parallel to No.4 Woodlands. No.7 has a larger rear garden, approx. 15m in depth, than No. 9, which is approx. 7m long.

23. The changes have included the introduction of a large rooflight on the second floor on the rear elevation, which would be approx. 10.5m from the rear boundary. As such the opening would not comply with guidance contained within SPD4, which requires any window at second floor or above to be 13.5m from a boundary overlooking a private garden. It is therefore recommended that a condition is attached requiring the rooflight to be obscurely glazed and fixed shut to provide adequate screening.

#### Impact to No. 27 Old Crofts Bank:

24. The entertainment suite on the second floor has extended to the north. The rooflights on the north elevation were previously above the first floor master bedroom within a vaulted ceiling, however two roof lights have been repositioned to serve the second floor. The cill levels of these rooflights are 1.5m above internal finished floor level. The rooflights would be approx. 5.8m from the shared

boundary and therefore a condition requiring these to be obscurely glazed and fixed shut would be attached to ensure adequate screening.

### Conclusion

25. Given the above, it is considered that the proposed development, subject to conditions, would not have an unacceptable impact on the residential amenity of neighbouring dwellings and would be in accordance with policy L7 of the Trafford Core Strategy, SPD4 and government guidance contained within the NPPF.

### **ACCESS, HIGHWAYS AND CAR PARKING**

26. The proposed changes include the reduction to the size of the approved garage. The garage is now a large single garage, rather than a double garage. The application site can still accommodate at least 3 parked vehicles and therefore is in line with Policy L4 and L7 of the Core Strategy and SPD3.

### **Other matters**

27. There are no changes in relation to ecology or trees.

### **DEVELOPER CONTRIBUTIONS**

28. This proposal is subject to the Community Infrastructure Levy (CIL), however it is exempt with a completed self-build declaration form.

### **PLANNING BALANCE AND CONCLUSION**

29. The proposed alterations to the extension, subject to conditions, are considered to be acceptable and in accordance with Policy L7, guidance from SPD4: A Guide for Designing House Extensions & Alterations and relevant sections of the NPPF. It is therefore concluded that the application should be approved subject to appropriate conditions.

### **RECOMMENDATION: GRANT subject to the following conditions**

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: (T17-05) 02 Rev J and 04 F.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

2. With the exception of the windows and doors which shall be grey upvc, the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof), within three months of the date of this permission, the windows in the first floor on the rear elevation of the extension facing west, shall be fitted with
  - a) non-opening lights to a height of no less than 1.7m above finished floor level;
  - b) textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent);and shall be retained as such thereafter.

Reason: In the interest of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof), within three months of the date of this permission, the second floor rooflights in the side elevation facing south shall be fitted with
  - a) a restricted opening mechanism restricting the opening of the windows by more than a gap of 100mm ;
  - b) textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent);and shall be retained as such thereafter.

Reason: In the interest of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof), within three months of the date of this permission, the second floor rooflights in the rear elevation facing west and in the side elevation facing north shall be
  - a) fixed shut ;
  - b) fitted with textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent);and shall be retained as such thereafter.

Reason: In the interest of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

7. No vehicular movements or use of machinery shall be allowed within the currently grassed area within the 'Areas of Special Construction' as detailed on the Tree Protection Plan (Drawing: MY665/WU/03 REV D) until the proposed protective surface, detailed within Section 6.7 of Arboricultural Report (Ref: PM/FULL/22/10/18), has been constructed.

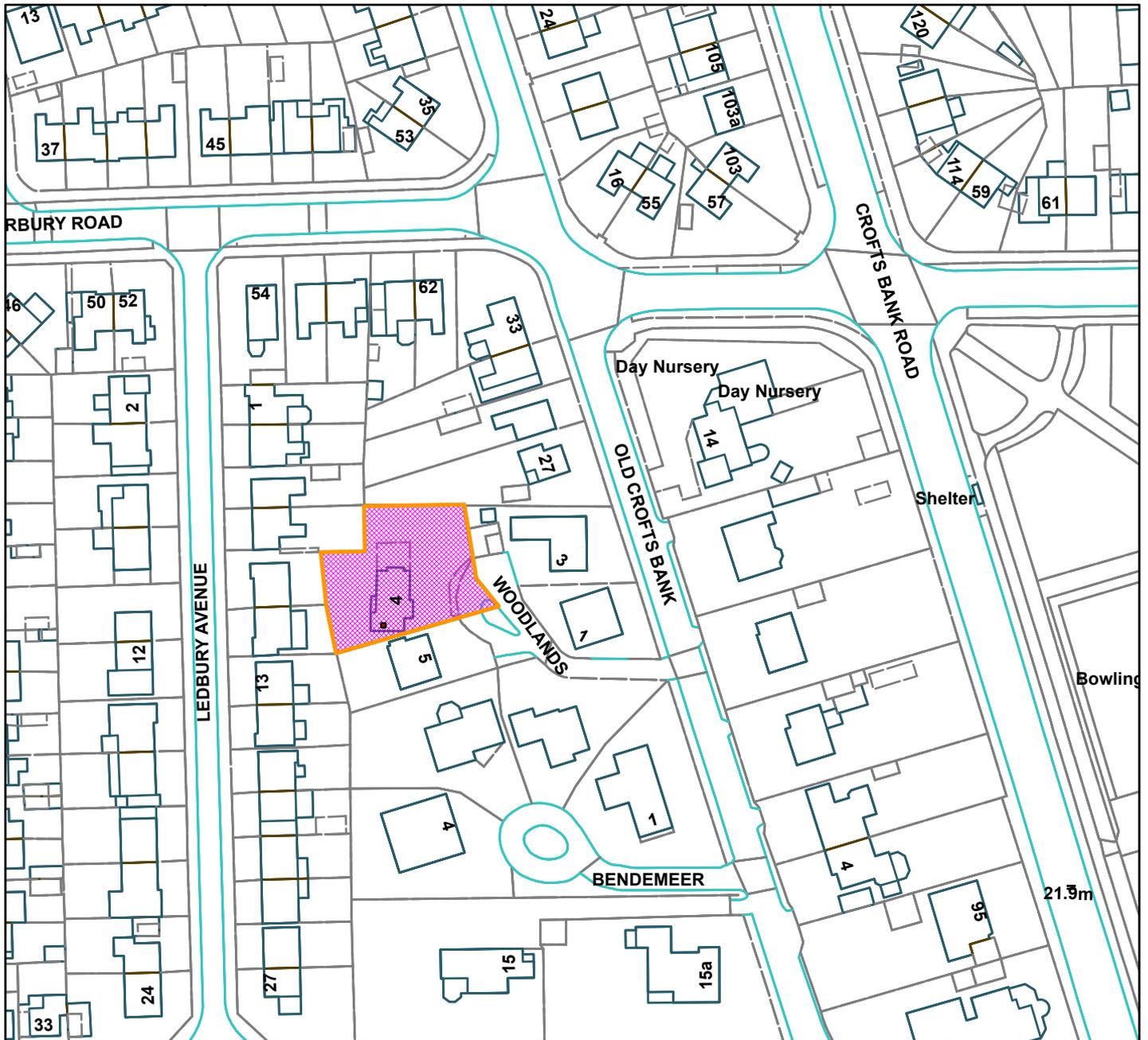
Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework. The fencing is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, can damage the trees.

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LT



4 Woodlands, Davyhulme (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 15/10/2020
Date	06/10/2020
MSA Number	100023172 (2012)

## **Erection of a single storey rear extension.**

26 Grangethorpe Road, Urmston, M41 9HT

**APPLICANT:** Mr & Mrs McBurnie

**AGENT:** AGSD

**RECOMMENDATION: GRANT**

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**This application is being reported to the Planning and Development Management Committee as the applicant is an employee of the Council.**

### **SITE**

The site relates to a two storey detached dwellinghouse in Urmston. The property benefits from an existing rear conservatory and two storey front, side and rear extension.

No 26 Grangethorpe Road is located on the northern side of Grangethorpe Road and is bound by residential properties on all sides. No 35 Cumberland Road is located to the rear (north), No 24 Grangethorpe to the east and No 28 Grangethorpe to the west. The host dwelling looks onto properties located on the southern side of Grangethorpe Road.

### **PROPOSAL**

The existing conservatory at the rear elevation is to be demolished and would be replaced by the proposed flat roof rear extension.

The proposed rear extension would project 4m from the existing rear elevation, and measure 8.7m in width and would have a flat roof with a height of 3.15m. The proposed rear extension would not project to the side of the existing property, and would not be visible in the streetscene.

Bi-folding glazed doors and two single glazed windows are proposed on the rear elevation, with no additional windows proposed on the side elevations. 3 rooflights are proposed on the extension.

The proposed materials are to match those of the existing property.

Internally the extension would accommodate an extended kitchen and living area.

The increase in floor space of the proposed development would be 35.36m<sup>2</sup>.

## **DEVELOPMENT PLAN**

**For the purposes of this application the Development Plan in Trafford comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

For the purpose of the determination of this planning application, this policy is considered 'up to date' in NPPF Paragraph 11 terms

## **PROPOSALS MAP NOTATION**

CDZ – Critical Drainage Zone

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

Community Forest / Tree Planting - ENV15/ENV16

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in autumn 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The MHCLG published the National Planning Policy Framework (NPPF) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

### **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

DCLG published the National Planning Practice Guidance on 6 March 2014, and was updated on 1<sup>st</sup> October 2019. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

80170/HHA/2013 - Erection of a conservatory to rear of dwelling to form additional living accommodation – Approved with conditions 26/074/2013

74506/HHA/2009 - Erection of two storey front, side and rear extension including increase in height of roof and erection of single storey extension and chimney stack to side elevation to form additional living accommodation - Approved – 09/02/2010

### **APPLICANT'S SUBMISSION**

Site visit photos

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

None

### **OBSERVATIONS**

#### PRINCIPLE OF DEVELOPMENT

1. The proposal is for an extension to an existing residential property within an established built up area and therefore extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties. The proposed development needs to be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy.

#### DESIGN AND APPEARANCE

2. The NPPF, Policy L7 of the Trafford Core Strategy and SPD4 all require that proposed development strives to achieve the highest level of design. Development should improve the character of both the host dwelling and immediate street scene.
3. SPD4 'A Guide to Designing House Extensions and Alterations' sets out specific requirements that all householder developments should strive to achieve in terms of how an extension relates and responds to the character of the existing dwelling house.

4. The proposed extension would be single storey and would project 4m from the existing rear elevation, with a flat roof with a height of 3.15m. Two vertical glazed windows and a set of bi-folding glazed doors are proposed across the rear elevation.
5. One roof lantern is sited above the flat roof element and two flat glazed rooflights are sited on the flat roof element either side of the lantern. While the proposed extension would have a flat roof, it is considered that this is acceptable given its single storey height and position on the rear elevation. Proposed materials would be to match with glazing designed in relation to the existing property, which would be considered acceptable. The proposals would not result in the overdevelopment of the site.
6. As such, it is considered the proposed works would result in no harm to the character, design or appearance of the host dwelling, complying with all guidance as laid out within SPD4; and achieving the overall aims of Policy L7 of the Trafford Core Strategy and the NPPF.

#### RESIDENTIAL AMENITY

7. In relation to householder extensions, both the NPPF and Policy L7 of the Trafford Core Strategy strive to ensure that development has no unacceptable negative impacts upon neighbouring or future occupiers. As the development is for a residential extension within an established residential area, the main areas of consideration are overshadowing, overbearing and overlooking.
8. SPD4 sets out specific tests that should be applied to a variety of types of householder extensions to assess their impacts. Paragraphs 3.4.1 – 3.4.9 of SPD4 set out the relevant tests to ensure that rear extension do not have any materially negative impacts.
9. Specifically, Paragraph 3.4.2 states, in relation to the projection of rear extensions, '*The most common situation where harm may be caused to the neighbouring property is in the instance of terraced and semi-detached properties however these guidelines also apply to detached properties. Normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of semi- detached and terraced properties and 4m for detached properties. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g, if an extension is 1m from the side boundary, the projection may be increased to 4m for a semi-detached or terraced extension).*
10. The property has an existing two storey side and rear extension, approved under permission 74506/HHA/2009, which projects approximately 2.2m from the original rear elevation. Consequently the cumulative impact of the existing two storey rear extension and the proposed extension must be taken into consideration. The total projection from the original elevation would therefore be 6.2m.

11. The relationship between the proposed development and adjacent Nos. 24 and 28 Cumberland Road, Nos. 35 Cumberland Road and properties located on the southern side of Grangethorpe Road, shall be assessed.

#### No 24 Grangethorpe Road

12. The proposals would not project to the side of the host dwelling, and would only project 0.2m beyond the rear elevation of the single storey rear extension at No 24, maintaining the existing 2m distance to the side elevation of No 24. As such, it is not considered the proposed extension at No 26 would have any unacceptable impact on this property.

#### No 28 Grangethorpe Road

13. The proposals would not project beyond the side of the existing extensions located on the application property and would maintain the current 1m distance to the side boundary, and 2.6m distance to the side elevation of No 28 Grangethorpe.
14. There is an existing 4m long single storey rear extension on No 28 but this is sited away from the shared side boundary with No 26 and there is a kitchen window on the rear elevation of No. 28 between the extension and the boundary with the application property and patio doors on the facing elevation of the extension. The SPD4 guidelines would normally allow a 4m long extension on a detached property plus the gap to the boundary (1m). Given the siting of the original properties, whereby No 28 originally projected 1m further to the rear than the application property, the proposed extension would project approximately 200mm further than the SPD4 guidelines would normally allow.
15. Taking into account the gap to the side elevation of No. 28, it is considered that the 200mm projection over and above the SPD4 guideline would not result in any undue overbearing or overshadowing impact on the rear window or amenity space of No 28. Furthermore, whilst there are patio doors in the facing elevation of the extension at No. 28, there are also glazed doors in the rear of this extension, and therefore there would also be no undue impact in this respect. It is therefore considered that there would not be any unacceptable impact on the residential amenity of No. 28.

#### No 35 Cumberland Road

16. The proposed extension would maintain a 15.6m distance to the rear boundary of the site, and a 28m minimum distance to the rear elevation of No 35 Cumberland Road. An 1800mm fence is located onsite as existing and would mitigate any overlooking impact from glazing proposed on the rear (northern) elevation of the property, and as such, it is not considered this would have any unacceptable privacy impact.

#### Properties located on the southern side of Grangethorpe Road

17. The proposed extension would be located at the rear elevation of the property behind the existing two storey side extension, and would not project past the sides of the existing property. As such, the proposed extension would have no unacceptable impact on properties on the opposite side of Grangethorpe Road.

18.

It is recommended that a condition is attached preventing the use of the flat roof of the extension as a balcony in order to protect the amenity of neighbouring properties. Subject to this condition, it is considered that there would be no unacceptable impacts on the residential amenity of any neighbouring property and that the proposed extension would comply with Policy L7 of the Core Strategy.

## **PARKING**

19. No new bedrooms are proposed and no existing parking provision would be lost. SPD3 requires a three bedroom dwelling to provide a maximum of two off road parking spaces and two spaces would be retained on the frontage.

20. As such, the development would maintain an adequate provision of off road parking spaces, complying with Policy L4 of the Trafford Core Strategy and national guidance.

## **DEVELOPER CONTRIBUTIONS**

21. The proposed development will increase the internal floorspace of the dwelling by less than 100m<sup>2</sup> and therefore will be below the threshold for charging. No other planning obligations are required.

## **PLANNING BALANCE AND CONCLUSION**

22. The proposed extension would be acceptable in terms of design and visual amenity and would have no unacceptable impacts on the residential amenity of neighbouring properties. The proposed development would be acceptable in terms of parking provision. It is therefore considered that the proposed development would comply with Policy L7 of the Trafford Core Strategy and guidance in the NPPF and it is recommended that permission is granted.

## **RECOMMENDATION:**

**GRANT** subject to the following conditions:-

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 02S1 and 01S1, received by the local planning authority on 3<sup>rd</sup> July 2020.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order), the flat roof area of the extension hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area, and no railings, walls, parapets or other means of enclosure shall be provided on that roof unless planning permission has previously granted for such works.

Reason: To protect the privacy and amenity of the occupants of the adjacent dwellinghouse, having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the National Planning Policy Framework.

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RGR



**Application for Alterations to roof and exterior of building to accommodate one-bedroom flat within the roof space, new porch, rendering and associated landscaping improvements.**

39-42 Ingleby Court, Stretford M32 8PY

**APPLICANT:** Mr Roman Khripko

**AGENT:** N/A

**RECOMMENDATION: GRANT SUBJECT TO CONDITIONS**

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**This application is reported to the Planning and Development Management Committee as the application has received six or more letters of objection contrary to the Officer recommendation of approval.**

**SITE**

The subject building is located on Ingleby Court, a private road which is accessed off the A5145 (Edge Lane) being located approximately 1 km east of Stretford Mall and 1 km west of Chorlton Town Centre.

The two storey building is of buff brick (wall) and concrete tile (roof) construction, with four garages in two detached pairs to the rear and side of the main building with access to either side of the building. There is a small green area to the front with pedestrian access running down the middle. A privet hedge runs along the front boundary of this area creating a defensible space.

To the rear there is a communal garden area, bounded by a mature hedgerow/tree line along the rear (west boundary). To the rear there are several large detached properties which run perpendicular to the site located on Edge Lane.

Ingleby Court is in an established residential setting with the residential development opposite the site to the east made up of a mix of single and two storey buildings, providing bungalows and apartment units, all of red brick construction. At the end of the road there is a pedestrian access which leads through to the Stretford Grammar School.

It is understood that the applicant is the lessor with residents being lessees via either a landlord or leasehold estate purchase.

**PROPOSAL**

The applicant is seeking permission to alter the existing roof design to provide a mansard roof with five dormers on the front elevation and roof lights on the flat roof

top of the roof providing additional light and ventilation. This alteration does not result in any increase in height.

The purpose of the roof alterations is to provide a one apartment in the roof space; this will take up approximately half of the space with the remainder being reserved as storage.

In addition it is proposed to create a stone porch projecting out by approximately 0.6m, 2.6 m wide and 2.8 m high. Other works external works proposed include elevational changes to introduce stone window mouldings and plastered panels between and below windows the front elevation and a stone cornice around the building.

In order to accommodate the additional apartment the applicant is proposing to provide 1no. additional off street parking space to the north of the building.

## **DEVELOPMENT PLAN**

**The Development Plan in Trafford comprises:**

- **The Trafford Core Strategy, adopted 25th January 2012;** The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- **The Revised Trafford Unitary Development Plan (UDP), adopted 19th June 2006;** The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 - Land for New Houses  
L2 - Meeting Housing Needs  
L4 - Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
R3 - Green Infrastructure

## **PROPOSALS MAP NOTATION**

Critical Drainage Area  
Smoke Control Zone

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in autumn / winter 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The DCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

DCLG published the National Planning Practice Guidance on 6 March 2014, and is updated regularly. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

**99758/FUL/20** – Alterations to roof and exterior of building to accommodate one bedroom flat within the roof space, new porch, parking pit, solar panels, rendering and associated landscape improvements – Withdrawn due to lack of bat survey.

## **APPLICANT'S SUBMISSION**

- Bat Survey
- Parking Survey

## **CONSULTATIONS**

**Local Highway Authority:** No objections, conditions recommended.

**Greater Manchester Ecology Unit:** No objection, conditions and informative recommended.

## **REPRESENTATIONS**

Objections have been received from 6 addresses (8 individuals). The following is a summary of the points made:

- Road not suitable for further development
- Potential to cause drainage issues
- The construction phase would have a detrimental impact on living and working conditions of current residents of the building
- Negative impact on the streetscene and general appearance
- Cause damage to the existing building
- The development gives no thought to existing residents
- The road already suffers from parking problems, this development will exacerbate the issue
- Overdevelopment and out of context with the scale of neighbouring properties
- Will have a negative impact for residents , insufficient private open space for any further apartment
- Will cause increased insurance costs
- Asbestos risk due to the age of the building
- Will devalue property

## **OBSERVATIONS**

### **Principle of Development**

- 1 Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an ***up to date*** (emphasis added) development plan, permission should not normally be granted.
- 2 The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. Nevertheless, without a five year housing land supply, where applications include housing development, the NPPF advises in Paragraph 11 and the associated footnotes that all relevant development plan policies should be deemed to be out of date. This means that unless NPPF policy that protects areas or assets of particular importance provides a clear reason for refusing the development proposed the tilted balance is engaged i.e. any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. For the avoidance of doubt, there are no NPPF policies which provide a clear reason for refusing this scheme and so the tilted balance is engaged.

- 3 The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process

## **Housing Supply**

- 4 The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK, and local planning authorities (LPAs) are required to support the Government's objective of significantly boosting the supply of homes. The responsibility of local planning authorities in supporting the Government's ambitions include identifying and updating annually a supply of specific deliverable sites to provide five years' worth of housing against their housing requirement. However, latest housing land monitoring for Trafford indicates a supply of only some 2.4 years.
- 5 Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. Whilst the proposal would only deliver one additional significant weight must be given to this, especially as it would be in a sustainable location close to local services and transport routes.
- 6 The NPPF also requires policies and decisions to support development that makes efficient use of land. In this respect, the NPPF, at paragraph 118, gives substantial weight to the value of using suitable previously developed land within established locations to provide new homes.
- 7 As the scheme provides only one dwelling it is below the national threshold requiring the provision of affordable housing. Given it would support housing and brownfield targets in an appropriate location weighs in its favour. In acknowledging that 'the presumption in favour of sustainable development' applies to this application, the significance of this benefit will be returned to in due course as part of the planning balance.

## **Design and Impact on the Streetscene**

- 8 Paragraph 124 of the NPPF states that "*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*". Paragraph 130 states that "*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*".
- 9 Policy L7 of the Trafford Core Strategy states that in relation to matters of design, development must:
  - Be appropriate in its context;
  - Make best use of opportunities to improve the character and quality of an area;

- Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
- 10 The proposed alterations to the appearance of the building would notably change the character and appearance of the existing building through the addition of a mansard roof. This alteration to the form roof would facilitate the provision of an additional one bedroom flat within the roofspace, along with space storage. Whilst the roof form and massing would be altered the overall height would remain the same as the existing and there would be no alterations to the footprint of the existing building.
  - 11 Whilst mansard roofs are not a feature within the immediate local area it is not considered the proposal would harm the character of the wider area or that the mansard roof would be overly dominant within the streetscene.
  - 12 The proposed dormers would introduce a new aspect but in the context of the overall design would be in proportion. Subject to final material specifications being agreed the dormers would be acceptable. The planning authority sought a minor amendment to remove the hipped roof element off the two larger dormers and replace with flat roof to provide consistency and a more coherent design approach.
  - 13 The proposed porch is modest in scale and will improve the overall entrance arrangement to the building. It is noted that no objections are raised to this element of the scheme. The proposed stone window surrounds and cornice would need to be agreed by condition, this should be natural stone and indigenous to the local area. High quality finishes will be necessary to achieving a well-executed scheme.
  - 14 Having assessed the design, scale and appearance it is considered the proposal is in line with the NPPF and policy L7 of the Core Strategy.

### **Impact on Residential Amenity**

- 15 Policy L7 of the Trafford Core Strategy states that “In relation to matters of amenity protection, development must: Be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and / or disturbance, odour or in any other way”.
- 16 The Council’s adopted planning guidance for new residential development sets out minimum separation distances which will be sought in order to protect residential amenity. These are as follows:
  - 21m between facing habitable room windows across public highways (increased by 3m for three or more storeys)
  - 27m between facing habitable room windows across private gardens (increased by 3m for three or more storeys)

- 15m between a main elevation with habitable room windows and a facing blank elevation
  - 10.5m between habitable room windows and garden boundaries (increased by 3m for three or more storeys)
- 17 The five dormers, two of which would directly serve the apartment look out across the access road towards the Ingleby Court. The two windows serving the apartment would look out towards a bungalow at a distance of approximately 15 metres in line with existing windows in the apartment block. While this is below the recommended distance there are no directly opposing windows given the differential in height. In this regard the relationship would be acceptable.
- 18 The applicant does not propose any additional rear or side facing windows with additional light and ventilation sought via proposed roof lights.
- 19 The comments regarding potential impact from the construction phase are noted. While accepted there will likely be some disturbance throughout the construction phase this will be relatively short. Any construction will be expected to meet nationally set standards.
- 20 In terms of future occupiers of the proposed apartment, the space provided is adequate and in accordance with the nationally set space standards with approximately 58m<sup>2</sup> of internal space provided. The issue of external communal space is raised in the objections received. While the garden space is modest it is considered sufficient for the proposed unit, along with the existing units. In addition the site is less than a five minute walk from Longford Park which offers a large outdoor amenity and recreation space. In this regard the amenity for existing and future residents is considered acceptable in accordance with policy L7 of the core strategy.

## Highway and Parking Matters

- 21 Paragraph 109 of the NPPF notes that *‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’*
- 22 Policy L4.6 of the Core Strategy states *‘The Council will protect and support the maintenance and improvement of the Strategic Road Network and the Primary and Local Highway Authority Network, to ensure they operate in a safe, efficient and environmentally sustainable manner.’*
- 23 The application proposes the creation of a one bed apartment. The Council’s car parking standards, as set out in SPD3, require one parking space be provided to serve this, which is to be provided.
- 24 The applicant was requested to provide a swept path analysis to show how cars exiting the existing garages would manoeuvre in light of the proposed surface parking space. The LHA note in response to the detail provided *“the*

*tracking drawing is not optimal especially phase 3. However, the scale, location and proposed development have been taken into consideration. The development is served off a private road (Ingleby Court) which offers on-street parking in the event of an overspill parking.”* On this basis the layout is considered acceptable. It should be noted that should the applicant seek to create any further dwelling(s) on site in the future this position would need to be revisited.

- 25 It is recommended that should the application be approved, a condition be attached limiting the use of the created storage space as ancillary storage space in connection with the dwelling created as part of this proposal and for no other purpose. This is required to ensure orderly development is achieved on site removing the potential for ancillary accommodation to be created which could result in negative highway (parking), along with amenity impacts.
- 26 The site plan indicates cycle parking to the rear of the site along with refuse/recycling facilities. It would be preferable to have these to the side of the building rather than in the communal open space. Final details should be agreed and provided prior to first occupation of the proposed dwelling.
- 27 The LHA have requested a condition be included as part of any approval requiring the four garages on site be retained for the sole use of the residents of 39-42 Ingleby Court for the life time of the development. However these units and garages are existing and therefore such a condition is not considered reasonable or enforceable. Should a future scheme to change the use or redevelop these garages come forward consideration of the parking impacts would then be considered.
- 28 Having regard to all of the above the development is considered to be in accordance with Policy L4 of the Local Plan and the NPPF.

## **Ecology**

- 29 The Conservation of Habitats and Species Regulations (2017) (As amended) and referred to as “the Regulations” hereafter is the statutory instrument that transposes EU Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora (the habitats directive) into UK law. This directive is the means by which the European Union meets its obligations under the Bern Convention, which is a binding international legal instrument signed in 1979. Under this legislation those most vulnerable and rare international species are protected and are listed under schedule 2 being termed “European Protected Species”.
- 30 Regulation 9 - (3) states that ‘Without prejudice to the preceding provisions, a competent authority, in exercising any of its functions, must have regard to the requirements of the Directives so far as they may be affected by the exercise of those functions.’
- 31 In terms of national policy, Paragraph 170 d) notes planning decisions should contribute to and enhance the natural and local environment by.... d)

minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...

- 32 Paragraph 175 of the NPPF notes that 'when determining planning applications, local planning authorities should apply the following principles: if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then permission should be refused'.
- 33 At a local level, Policy R2 notes 'Where the council considers it necessary, in order to protect the natural environment, developers will be required to provide an appropriate ecological assessment report to enable the Council to properly assess and determine the merits or otherwise of the development proposal.'
- 34 The submitted bat surveys conclude that while there has been some bat emergence activity the building provides only occasional roosting opportunities for individual or low numbers of bats. The GMEU find the surveys acceptable. On the basis of the information provided a license will be required from Natural England. Given the occasional nature of the roost the GMEU are satisfied that the nature conservation of the pipistrelle bat will not be impacted on by the proposed development. To ensure this the GMEU recommend a condition that the planning authority be provided with written confirmation that either a license has been issued by Natural England or a further report from the relevant licensing body that it does not consider a license is required in this instance.
- 35 The application does not include any evidence that nesting birds have been found on site. Notwithstanding, there are shrubs and trees which provide potential nesting opportunities. Additionally, the GMEU conclude the submitted roof space photos indicate birds are at least accessing the roof space. In this regard a condition should be attached restricting the commencement of clearance and shrub/tree removal between 1st March and 31st August in any year unless a detailed bird nesting survey by a suitably experienced ecologist has been carried out.
- 36 Finally, to contribute to enhancing the natural environment in line with the NPPF it is recommended that bird nesting and bat roosting opportunities be incorporated into the new roof.
- 37 Having regard for the above it is considered that the potential impacts on bats and birds identified can be satisfactorily mitigated by condition and further enhancement can be achieved. The development is therefore considered to accord with policy R2 of the Core Strategy, the NPPF and The Conservation of Habitats and Species Regulations (2017) (As amended).

## **Other Matters**

- 38 Other objector concerns include, damage to existing building fabric, asbestos removal, negative impact on property value and rising insurance costs. These matters are not material planning considerations.
- 39 Any concerns regarding the building fabric will be covered by building regulations which the developer must adhere to where relevant. As part of this, the removal of any hazardous materials such as asbestos will be the developer/contractor's responsibility.
- 40 The comments regarding drainage are noted, however as there are no alterations to the footprint the proposal is not considered to change the existing surface drainage. Any changes to the drainage system (downpipes) on the existing building would be minimal and would be considered through Building Regulations.

### Planning balance and conclusion

- 41 Consideration has been given to all comments received on the proposal, in light of the adopted policies within the Council's Development Plan. The proposed alterations to the existing building and creation of an additional apartment are considered appropriate given its location in an established residential area. The proposed external alterations are considered to be of an appropriate design and scale and any increase in vehicular movements, would be relatively minor. Coupled to this the site is in a sustainable location with good links to public transport and cycling being a realistic option. Through the implementation of appropriate conditions, the proposal is considered to have an acceptable impact on the building design, amenity of future and existing residents and highway safety. As such the proposal is considered to be compliant with Policies L4, L7 and W2 of the Trafford Core Strategy.
- 42 In respect of the Paragraph 11 tests, the benefits of the scheme, namely contributing to housing need, significantly and demonstrably outweighs the increased impacts on the built environment, which are not considered significantly adverse. Paragraph 11 of the NPPF requires development proposals that accord with the development plan to be permitted without delay. The application is therefore recommended for approval subject to appropriately worded conditions being attached to a grant of permission. The application is therefore recommended for approval subject to conditions.

### **RECOMMENDATION:**

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: amended elevations,

received by the local planning authority on 31st August 2020, bin store elevations and amended site plan, received by the local planning authority on 5<sup>th</sup> August 2020, amended floor plans, received by the local planning authority on 22<sup>nd</sup> May 2020 and Location Plan and Block Plan, received by the local planning authority on 12<sup>th</sup> May 2020.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

3. No development involving the use of materials to be used in the construction of the external surfaces of the building hereby permitted (including rainwater goods and joinery details of windows and doors) shall take place until details of the materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory external appearance in the interests of visual amenity, having regard to Policy L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

4. The development shall not be occupied until the approved bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been completed and made available for use and shall be retained thereafter.

Reason: To ensure that satisfactory provision is made for refuse and recycling storage facilities at the design stage of the development, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

5. The development hereby approved shall not be occupied until the approved car parking and cycle storage scheme has been constructed and is ready for first use and shall be retained thereafter.

Reason: To ensure that satisfactory cycle [and motorcycle] parking provision is made in the interests of promoting sustainable development, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards and Design, and the National Planning Policy Framework.

6. The second floor storage space permitted as part of this development shall not be used for any purpose other than as ancillary storage in connection with existing and approved apartments and shall not form a separate residential unit.

Reason: To ensure adequate garaging/off street parking provision is retained and thereby avoid the harm to amenity, safety or convenience caused by on street parking, having regard to Policies L4 and L7 of the Trafford Core Strategy, and Supplementary Planning Document 3: Parking Standards and Design and the National Planning Policy Framework.

7. No clearance of trees and shrubs in preparation for (or during the course of) development or conversion/demolition works shall take place during the bird nesting season (1st March-31st August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall be implemented as approved.

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

8. The development shall not in any circumstances take place unless and until the local planning authority has been provided with either:
  - a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or
  - b) a statement in writing form the relevant licensing body to the effect that it does not consider that the specified development will require a license

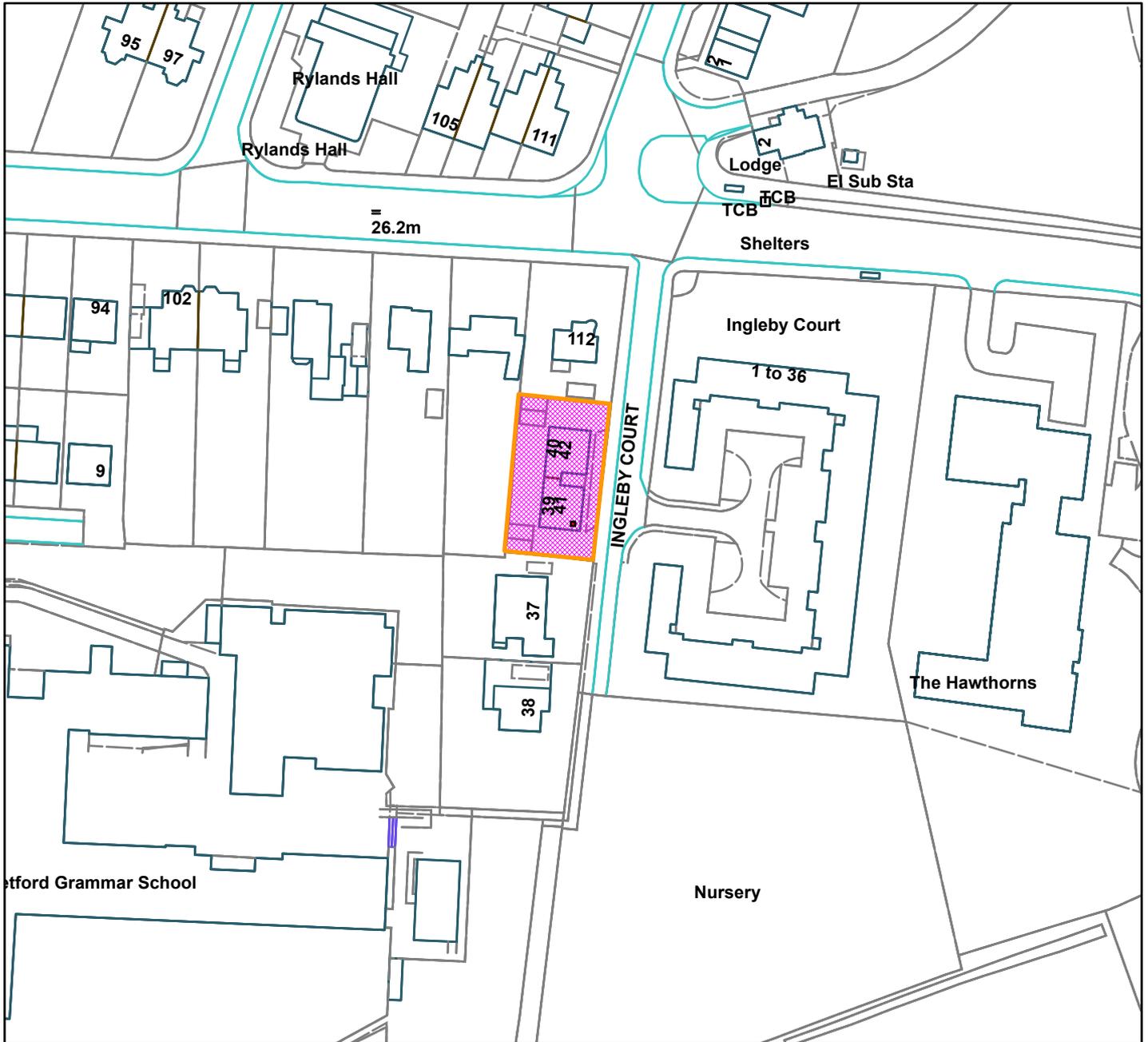
Reason: In order to prevent any habitat disturbance to roosting bats having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

9. Prior to any works to the roof taking place the applicant shall submit to the planning authority, for agreement in writing a scheme of bird nesting and bat roosting opportunities which shall be integrated into the roof design and remain in place for the life time of the development.

Reason: In order to mitigate disturbance and enhance the local natural environment having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.



39 - 42 Ingleby Court, Stretford (site hatched on plan)



**Scale:** 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 15/10/2020
Date	06/10/2020
MSA Number	100023172 (2012)

**Erection of a first floor side extension, with a new pitched roof to the existing porch and garage projection.**

1 Lichfield Road, Davyhulme, M41 0RU

**APPLICANT:** N/A

**AGENT:**

**RECOMMENDATION:** REFUSE

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**This application has been called in by Councillor Dillon on the grounds that it would be unreasonable to withhold the granting of planning permission by reason of the effect on the street scene and the living conditions of the residents of neighbouring properties.**

**SITE**

The application relates to a two storey semi-detached property located on the western side of Lichfield Road, close to its southern junction with Canterbury Road and thereby sited at right angles to its immediate neighbours 135, 137 and 139 Canterbury Road which have their rear boundaries sharing its southern side boundary. Another neighbouring property, 133 Canterbury Road, shares part of its eastern side boundary with the rear boundary of the application site.

The application property itself is a 1930's semi-detached dwelling that is two storeys in height, with a hipped roof and a two storey canted bay and associated apex roof design to its principal elevation. The property has been extended via a flat roof single storey front, side and rear extension that forms part of the rear boundary shared with Nos.137 and 139 Canterbury Road.

The rear boundaries of the properties to the south along Canterbury Road that back onto the application site are not parallel to their rear elevations. No. 137 Canterbury Road has a conservatory to its rear. No. 139 Canterbury Road has a brick built single storey extension with habitable room windows facing towards the application site with a projection of 3.2m, retaining 9.5m to the southern boundary of 1 Lichfield Road.

**PROPOSAL**

The proposal comprises the erection of a first floor side extension directly above an existing single storey side extension to create a fourth bedroom and associated ensuite towards its rear. It would be on the southern side of the dwelling, with a recessed front elevation of 0.3m from the front main corner, and the proposed rear elevation being

aligned with the main rear wall of the property. The width of the extension would be 2.5m and its side wall would form 7m of the common boundary with both Nos. 137 and 139 Canterbury Rd with it being centrally placed against the common boundary between these two neighbours. An existing single storey flat roof rear extension across the full width of the application property would remain, with a depth of 1.7m. The existing single storey front projection would be retained and a pitched roof provided above the existing flat roof.

The eaves height of the first floor extension would be 4.6m with a hipped roof design and roof pitch to match the host building. The extension's ridge would be set below the main roof ridge by 0.1m. The development would be constructed in similar materials to the existing dwelling and a bay window is proposed within the principal elevation to an additional bedroom; whilst an ensuite window is proposed within the rear elevation.

The increase in floor space of the proposed development would be less than 100m<sup>2</sup>.

## **DEVELOPMENT PLAN**

**For the purposes of this application the Development Plan in Trafford comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 - Design

For the purpose of the determination of this planning application, this policy is considered 'up to date' in NPPF Paragraph 11 terms.

## **OTHER POLICY DOCUMENTS**

SPD4 – A Guide for Designing House Extensions & Alterations (February 2012).

## **PROPOSALS MAP NOTATION**

None

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

None

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Autumn 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The MHCLG published the National Planning Policy Framework (NPPF) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

DCLG published the National Planning Practice Guidance on 6 March 2014 and was last updated on 01 October 2019. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

### 1 Lichfield Road

99090/HHA/19 - Erection of a first floor side and rear extension, with a new pitched roof to the existing porch and garage projection. Withdrawn December 2019.

H09126 - Erection of extension to garage. New front porch and conversion of existing outbuilding to dining room. Approved March 1979.

### 139 Canterbury Road

H/59140 - Erection of a single storey side extension to create garage and additional living accommodation. Approved May 2004.

### 135 Canterbury Road

H45664 - Erection of single storey side and rear extension for garage and additional living accommodation. Approved June 1998

### 133 Canterbury Road

H15661 - Demolition of garage and wash house & erection of extension to form new garage and extension to kitchen. Approved January 1982.

## **APPLICANT'S SUBMISSION**

None.

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

Councillor Dillon has called in the application on the grounds that *"it would be unreasonable to withhold the granting of planning permission by reason of the effect on the street scene and the living conditions of the residents of neighbouring properties. It is therefore respectfully requested that planning officers recommend that this planning application be approved"*.

The application was advertised by way of neighbour notification letters. 5 no. letters of objection from 4 no. different addresses have been received. The main points raised are as follows:

- The view from the rear kitchen and conservatory will be a high brick wall and neighbours would feel hemmed in by the extension.
- Impact of noise, pollution, traffic and parking issues as a result of building works.
- The original application (withdrawn) was only 0.3m longer than the currently proposed scheme and the proposal has therefore not "significantly reduced". The overall size has not been altered when viewed from neighbouring properties where they would look out onto a large gable wall.
- Only one of the 14 properties within the neighbourhood as stated within the submission has a double height extension which was only actually approved for a single storey extension, nonetheless has a separation distance of 1m more than this proposal and is not on the boundary line.
- The eaves and gutters will cross the boundary line and overhang adjacent property.
- Room above the garage would overlook neighbouring living room, main bedroom and box room.
- Extension would cause overbearing, overshadowing and visual intrusion to properties along Canterbury Road.
- Off street parking is already a problem in Lichfield Road and the proposed development would potentially create the need for 4no. parking spaces which would add to the ongoing issue.
- Reduction in spaciousness between properties.
- All first-floor extensions that have been built above a garage on Lichfield Road are set back from the front face of the dwelling; and the ridge lines on these are much smaller and therefore not as prominent.
- Less light especially in the later months when the sun is at a lower position.

## OBSERVATIONS

### PRINCIPLE OF DEVELOPMENT

1. The proposal is for an extension to an existing residential property within a built up area and therefore extensions and alterations are acceptable subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas. The proposed development needs to be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy.

### DESIGN AND APPEARANCE

2. Paragraph 124 of the NPPF states that *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."* Paragraph 130 of the NPPF states that *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."*
3. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
4. SPD 4: A Guide for Designing House Extensions and Alterations requires extensions to reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing and the SPD sets out specific guidance in order that proposals can successfully do this.
5. With regard to the design of side extensions, SPD4 sets out the following relevant guidance:
  - 3.1.2. *Proposals for two storey side extensions or first floor additions will normally be acceptable with regard to the following:*
    - *Extensions should be in keeping with the prevailing pattern of residential development and should not erode the amount of space surrounding the dwelling.*

- *A gap of a minimum of 1m should be retained between the side elevation of an extended property and its side boundary, to retain the impression of space to the side of the dwelling. This is particularly important within a row of closely spaced detached or semi-detached houses.*
  - *Extensions should not be taller than the existing property or extend above the main ridge line of the property.*
  - *The eaves level of the extension should correspond with the original house.*
6. The application site is perpendicular to properties along Canterbury Road and therefore, in this case, whilst the above guidelines state that a gap of a minimum of 1m should normally be retained to the side boundary, it is considered that the proposed development would not have a harmful impact on the spaciousness of the area or result in a terracing effect, due to the fact that it would be sited adjacent to the rear gardens of these neighbouring properties rather than adjacent to other built development.
  7. The eaves and roof design of the development would match the existing property and would not appear over-dominant or incongruous in relation to this. The extension is proposed in matching materials and the fenestration on the principal elevation would incorporate a bay window that would reflect the character of the canted bay windows of the existing property without unduly competing with these features. The proposed rear facing ensuite bathroom window would also be sited within an appropriate position without being over dominant as a design feature.
  8. As the proposed extension would be to the side of the existing property and close to the southern junction of Lichfield Road and Canterbury Road, it would be prominent within the street scene, with a range of views available along both of these roads and across the junction. However, it is considered that, given the 12.5m separation distance as measured along the common boundary between Nos. 137 and 139 Canterbury Road and the southern elevation of the proposed development, it would not be unduly dominant within the streetscene and would not have an unacceptable impact upon the spaciousness of the surrounding area. The siting of the extension would also retain sufficient space towards its rear.
  9. It is therefore considered that the proposal would be acceptable in terms of design and visual amenity and would comply with Policy L7 of the adopted Core Strategy and guidance in the NPPF in terms of its design and general appearance.

## **RESIDENTIAL AMENITY**

10. Policy L7 of the Core Strategy states that in relation to matters of amenity development must be compatible with the surrounding area; and not prejudice the amenity of future occupiers of the development and/or occupants of adjacent

properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

11. Guidance contained within SPD4 states it is important that extensions or alterations do not impact adversely upon neighbour amenity. The relevant sections of SPD4 are included below for clarity:

#### **2.14. Protecting neighbouring amenity**

2.14.1. The Council will seek to protect the amenities of neighbouring occupiers and ensure that any domestic alteration does not have an adverse overlooking, loss of light or overbearing impact on neighbouring properties.

2.14.2. It is important that extensions or alterations:

- Do not adversely overlook neighbouring windows and/or private gardens areas.
- Do not cause a significant loss of light to windows in neighbouring properties and/or their patio and garden areas.
- Are not sited so as to have an overbearing impact on neighbouring amenity.

#### **2.18. Private garden areas**

2.18.1. The protection of neighbours' garden areas from adverse overlooking, overshadowing and overbearing impacts is important in relation to well-used garden areas, such as sitting out areas.

#### **2.16. Loss of light**

2.16.1. An extension positioned too close to a boundary, may cause a loss of sunlight and/or daylight to a neighbour's window or garden. An extension that would overshadow your neighbour to an unreasonable extent would not be considered acceptable. Care should be taken that the extension is not positioned in such a way as to cause unreasonable overshadowing to a neighbouring house or a well-used part of a garden, e.g. siting a tall wall in close proximity to a boundary.

#### **2.17. Overbearing**

2.17.1. In addition to the above, positioning an extension too close to a neighbouring boundary can result in an uncomfortable sense of enclosure for the neighbouring property. A large expanse of brickwork can be overbearing to the amenities of a neighbouring property. Windows and gardens of neighbouring properties will be protected from undue overbearing. The maintenance of adequate separation distances may help to avoid overbearing relationships between properties.

2.17.2. The factors that may be taken into account when assessing a potential loss of light or overbearing impact include:

- The size, position and design of the extension

- Orientation of the property
- Presence of other habitable room windows/sources of light in neighbouring rooms
- Relative position of neighbouring houses and existing relationship
- Size of the garden
- Character of the surrounding area

2.17.3. For two storey side extensions with a blank gable wall that would face a neighbouring main habitable room window, a 15m minimum separation distance would be required. However, there may be exceptions and every application will be considered on its own merits having regard to:

- The size of the extension
- Its relationship with the affected window(s) including orientation
- Its impact on the spaciousness of the area

12. The proposed development would have a depth of 7m and would be centrally positioned in relation to the common boundary between Nos. 137 and 139 Canterbury Road to the south. A separation distance of 12.45m would be retained between the main rear elevations of these properties and the side/southern elevation of the proposed extension. This distance would reduce by 3.2m when measured from the single storey rear extension of No.139 Canterbury Road. Therefore, the separation distance between the single storey rear extension to the rear of No.139 Canterbury Road and the two storey gable wall of the proposed development would be reduced to 9.25m and even less regarding the conservatory to the rear of No.137 due to the common boundary not being parallel to the proposed development. In relation to the recommended 15m minimum separation distance referred to within section 2.17.3 of SPD4 to maintain a reasonable standard of outlook and amenity for neighbouring residents, there would be a substantial shortfall of 5.75m in relation to the extension at No. 139 and 2.55m relating to the main rear wall of both 137 and 139 Canterbury Road.

13. It is recognised that the proposed development would be positioned to the north of Nos. 137 and 139 and therefore would not result in loss of direct sunlight to these properties. It is nevertheless considered that the side elevation of the proposed development would be visually intrusive, overbearing and over-dominant when viewed from within ground floor and first floor rear facing windows and the rear amenity space of these neighbouring properties, regardless of their orientation. Being centrally located between these neighbours, there would be no visual relief from the scale of development which would be a large mass of brickwork as viewed from the rear windows and gardens of these adjoining dwellings and, as a consequence, it is considered that the proposed extension would have a harmful impact upon the amenity of the occupiers of these properties.

14. The proposed development would incorporate a glazed window within the rear elevation which would relate to an ensuite and would be positioned no further to the rear than the existing first floor windows. It is therefore considered that this would not result in any undue overlooking of neighbouring properties
15. Due to the siting of No.135 Canterbury Road to the south west of the application site, it is considered that the proposed development would not harm the occupiers of that property due to its siting and juxtaposition.
16. In conclusion, it is considered that the proposed extension would have an overbearing and visually intrusive impact on the rear windows and rear gardens of the neighbouring properties at Nos 137 and 139 Canterbury Road. As such, the proposed development would not comply with the guidance recommended within SPD4, Policy L7 of the Trafford Core Strategy and relevant paragraphs within the NPPF.

### **PARKING PROVISION**

17. The proposal would not reduce the depth of the existing driveway which can currently accommodate two vehicles in addition to a parking space provided within the attached garage. The existing provision would be retained and there is some scope for on street car parking in addition to this in the vicinity. Therefore, it is considered that this level of parking provision would be acceptable.

### **DEVELOPER CONTRIBUTIONS**

18. The proposal is for less than 100 square metres and would not therefore be liable for the Community Infrastructure Levy (CIL).

### **PLANNING BALANCE AND CONCLUSION**

19. It is considered that the proposed extension would not cause harm to the character and spaciousness of the streetscene; and the design and appearance of the development itself is considered to be acceptable. However, the separation distance between the proposed two storey side elevation of the extension and the main rear elevations of Nos.139 and 137 Canterbury Road would be significantly less than the SPD4 guideline. This would be further reduced when the single storey rear projections of both Nos.137 and 139 Canterbury Road are taken into account and it is considered that this would have an unacceptable overbearing impact on these properties when viewed from their rear windows and rear garden areas.
20. As such, the proposal would fail to comply with Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and guidance in the NPPF. It is therefore recommended that planning permission should be refused.

## **RECOMMENDATION**

**REFUSE** for the following reason:-

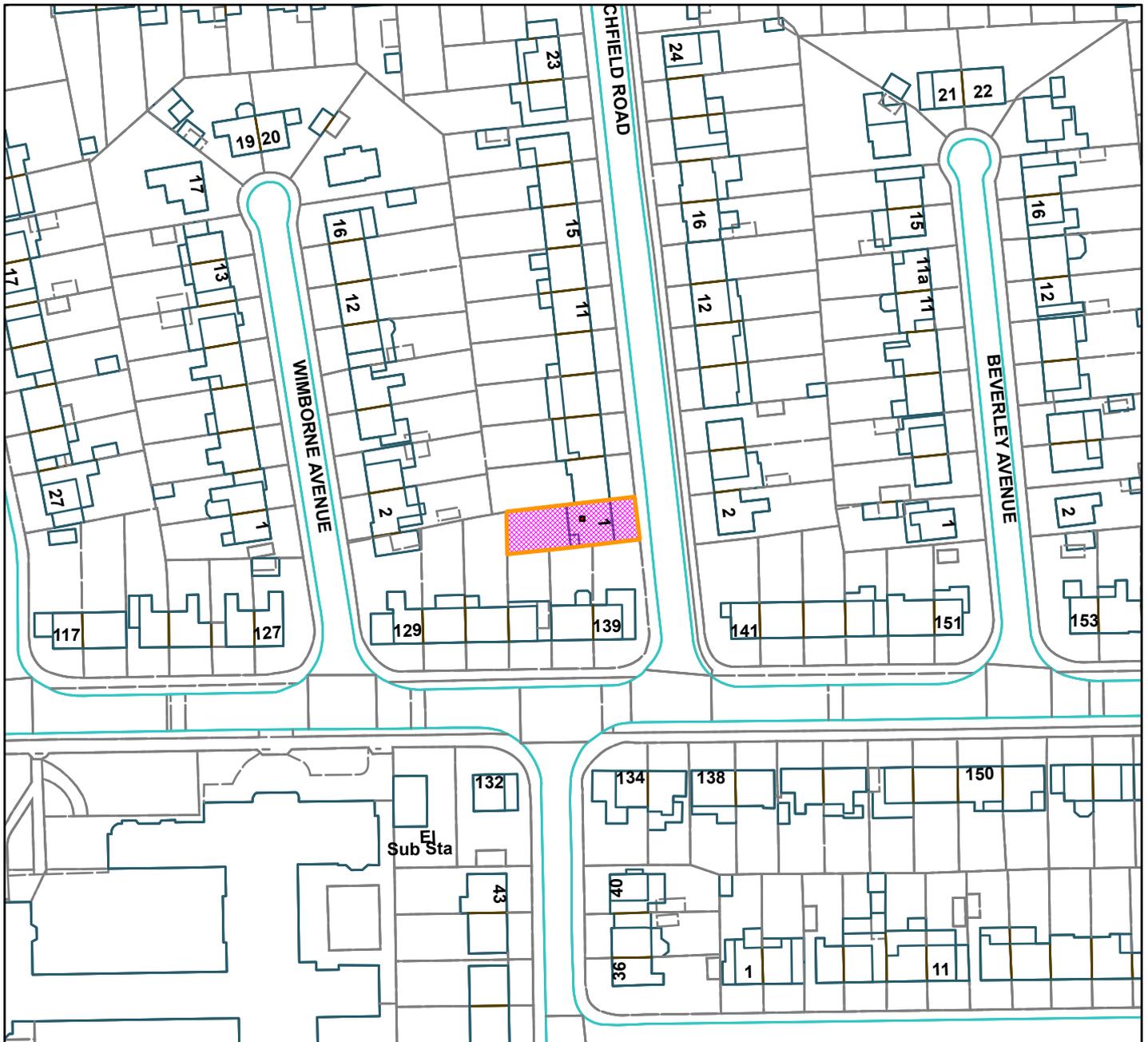
1. The proposed first floor side extension, by reason of its size, scale, height, massing and proximity to the common boundaries with both Nos. 137 and 139 Canterbury Road, would result in an unacceptable overbearing impact and undue visually intrusion when viewed from the rear windows and rear gardens of these properties. The proposal would therefore have a detrimental impact on the amenity that the occupiers of these dwellings could reasonably expect to enjoy. As such, the proposal would be contrary to Policy L7 of the Trafford Core Strategy, relevant paragraphs of the NPPF and the Council's Supplementary Planning Document SPD4: A Guide for Designing House Extensions & Alterations.

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GD



1 Lichfield Road, Davyhulme (site hatched on plan)



**Scale:** 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 15/10/2020
Date	06/10/2020
MSA Number	100023172 (2012)

**Erection of a two storey side and rear extension and single storey front extension.**

321 Moorside Road, Flixton, M41 5PA

**APPLICANT:** Mr Rowe

**AGENT:**

**RECOMMENDATION: REFUSE**

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**The application is being reported to the Planning and Development Management Committee because six or more letters of support have been received, contrary to the officer recommendation of refusal. In addition to this, the application was also called in by Councillors Proctor and Thomas.**

**SITE**

The application relates to a two storey semi-detached dwelling house, located on the south side of Moorside Road. Trevor Road runs along the eastern edge of the plot. Residential land uses surrounded the east, south and west of the dwelling, with a golf course opposite. Due to the angle of the junction of Trevor Road and Moorside Road, the plot increases in width to the south.

The front and eastern side plot boundary is demarcated by a low brick wall and hedgerow. The rear and western side plot boundary is demarcated by a mixture of low brick wall with 1.8m close boarded fencing above, and close boarded fencing.

The existing dwelling house has a single storey outrigger located at the rear, with a lean-to extension extending to the side of it.

The front garden has been part laid to hardstanding to provide off road parking. There is also a driveway at the rear of the plot, with access from Trevor Road.

**PROPOSAL**

The single storey outrigger and lean-to side extension are proposed to be demolished.

A new window is proposed on the newly 'made good' rear elevation following demolition of the outrigger.

A two storey side extension, projecting beyond the main dwelling house rear elevation and set back from the main dwelling front elevation, is proposed. A hipped roof is proposed, sitting below that of the main dwelling house, to two separate ridge heights. The proposed eaves height would be consistent with the main dwelling house. Two windows, one at first floor and one at ground floor are proposed in the front and rear elevations of the extension. A ground floor side facing window and door are proposed.

A front porch is proposed sited around the existing front door. A pitched roof is proposed.

All materials are proposed to match the existing.

## **DEVELOPMENT PLAN**

**For the purposes of this application the Development Plan in Trafford comprises:**

- The **Trafford Core Strategy** adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L7 – Design

For the purpose of the determination of this planning application, these policies are considered 'up to date' in NPPF Paragraph 11 terms with the exception of maximum parking standards in L4.

## **OTHER LOCAL POLICY DOCUMENTS**

SPD3 – Parking and Design

SPD4 – A Guide for Designing House Extensions and Alterations

## **PROPOSALS MAP NOTATION**

Critical Drainage Area

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

*None*

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The MHCLG published the National Planning Policy Framework (NPPF) on the 19<sup>th</sup> February 2019. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

MHCLG published the National Planning Practice Guidance on the 6<sup>th</sup> March 2014, and is updated regularly. The NPPG will be referred to as appropriate in the report.

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **RELEVANT PLANNING HISTORY**

99421/HHA/19. Erection of a two storey side and single storey front extension. Withdrawn 21/01/2020.

## **APPLICANT'S SUBMISSION**

Plans, Application Form and Planning Statement.

## **CONSULTATIONS**

None.

## **REPRESENTATIONS**

8 representations from neighbouring properties have been received in support of the application. All representations focus on there being no perceived harm to the street scene, amenity, visual appearance of the area, etc. These issues will be assessed in the corresponding subsections of the Observations section of the report. 2 elected Councillors have also expressed support for the application, stating that the plans will enhance the appearance of the streetscene and that there are numerous much larger extensions in the vicinity.

## **OBSERVATIONS**

### **Principle of Development**

1. The application relates to a residential extension within a predominantly residential area. Therefore, the development should be assessed against the requirements of Policy L7 of the Trafford Core Strategy in relation to amenity impacts and the design and appearance of the proposal. The proposal would increase the proposed number of bedrooms, so should also be assessed against the requirements of Policy L4 of the Trafford Core Strategy.

### **Design and Appearance**

2. National guidance requires all development be of good design. Policy L7 of the Trafford Core Strategy requires development take inspiration from, enhance and protect the character and appearance of the host dwelling and wider area. SPD4 lays out specific requirements that most householder developments should adhere to in order to achieve this.
3. The proposed front porch adheres to all the guidance as laid out within the SPD, complying with the overall aims of Policy L7 and national guidance. The scale, massing and bulk of this element would be proportionate to the dwelling house; the roof would be pitched; and materials would match existing finishes. The construction of the porch would result in no harm to the design and appearance of the host dwelling or street scene.
4. In terms of the proposed side extension, the front elevation would be set back from that of the dwelling house; the proposed eaves height would match that of the original dwelling house with ridge heights set below; the width would be less than half of the original dwelling house, windows would be appropriately scaled and sited; and materials would match the existing finish.
5. However, No. 321 Moorside Road is also sited on a corner. As such, section '3.3 Corner Properties' of SPD4 lays out the requirements for corner properties as follows:
6. *3.3.1 Extensions on corner properties, between the side of the house and the road, can appear unduly prominent and obtrusive, particularly if they come forward of the general line of the fronts of neighbouring properties. Extensions in these locations should not be visually over-dominating or disrupt the sense of openness between the properties and the street scene.*

7. 3.3.2. *Each case must be considered individually, however a proposal is more likely to be acceptable if:*
  - *There is plenty of space between the property and the back of the pavement on the road and the extension only takes up a small proportion of this space, which in most cases will not be more than 50% of the garden*
  - *The proposal is in keeping with the building line and does not appear over-dominant in the street scene*
  - *There is sufficient space left between the extended property and the back of the pavement to maintain the character of the surrounding area*
  - *If the extension is set back from the front corner of the house*
  - *If the extension is single storey rather than two storey*
  - *The design of the proposal helps to minimize the visual impact on the street scene*
  
8. 3.3.3. *As well as satisfying the above criteria, generally, a minimum separation distance of 2m must be maintained between the edge of any single storey extension and the site boundary. These minimum separation distances may need to be exceeded however for two storey extensions or to safeguard the prevailing spacious character, and in any case will take into account the building line and extent of side garden remaining.*
  
9. The proposed extension would conflict with the majority of these guidelines – with the exception being the fact that it would be set back from the front corner of the house. The proposed side elevation would be sited between 1.1m and 3.4m from the side plot boundary facing Trevor Road. Although a portion of the development would be over 2m back from the plot boundary, a significant proportion (2.85m of the entire depth of the side extension) would not. Moreover, the extension would be projecting towards this boundary at two storeys, exacerbating the visual impact of this shortfall and it is considered that a further set back beyond the minimum 2m from the boundary would be required in order for the extension to be in keeping with the character of the area. The point at which the extension would be only 1.1m from the side road would be at the front of the extension, closest to the junction of Moorside Road and Trevor Road and the proposed extension would therefore appear over-dominant and obtrusive in the street scene at this prominent location. The side elevation would also feature limited points of architectural interest, or detailing, with only a single door and window at ground floor to break up a large two storey plain brick elevation. In addition, the extension would project beyond the existing rear elevation, increasing the scale and massing of the proposal.
  
10. It is recognised that the site does increase in width to the rear with the side boundary splaying out to the east and that there would therefore be a wider gap at the rear of the site. However, it is considered that this would not overcome the harm to the street scene identified above.

11. Additionally, the extension would also step forward of the adjacent Trevor Road main building line. Although it is noted that the two storey side elevation of the original dwelling house already steps forward of this visual line, at present this is limited to the depth of the original dwelling house, with the conflicting portion of the house having a width of 0.35m at the rear elevation increasing to a width of 3.2m at the front elevation. The proposed extension would project 3m forward of the building line and would increase the depth of the dwelling house stepping forward of the building line by 2m. It is considered that the fact that the existing building already steps forward beyond the Trevor Road building line does not justify this additional projection but only serves to emphasise how dominant the proposed extension would be.
12. It is therefore considered that the proposed development would appear unduly cramped and out of keeping with the spacious character of the area. The extension would be visually over-dominant and obtrusive and would disrupt the sense of openness within the street scene. Therefore, it is considered that the development would have a detrimental impact on the character and appearance of the street scene and the surrounding area and would fail to comply with Policy L7 of the Trafford Core Strategy and guidance in the NPPF in relation to good design.

### **Amenity Impacts**

13. National Guidance and Policy L7 of the Trafford Core Strategy require development to result in no detrimental amenity impacts. As the development relates to a residential extension within a predominantly residential area the key amenity considerations are overlooking, overshadowing and overbearing. SPD4 lays out specific tests and requirements that development should adhere to in order to ensure amenity is safeguarded.

### **Golf Course**

14. The proposed front elevation of the two storey extension would be set considerably behind the front elevation of the original dwelling house and would face towards the golf course, ensuring no negative amenity impacts.
15. The proposed front porch, owing to its overall scale and massing would not result in any amenity concerns.

### **No. 319 Moorside Road**

16. At their closest points (front elevation corners) the two storey extension would have a separation distance of 17.3m to the neighbouring property on the opposite side of the junction. Neither elevation would feature primary windows to

habitable bedrooms. The extension would result in no undue amenity impacts to this neighbour.

#### No. 91 Trevor Road

17. There would be a separation distance between the two storey extension and the neighbouring plot boundary of 13.9m and to the neighbouring side elevation of 16m. The extension would result in no undue amenity impacts to this neighbour.

#### No. 323 Moorisde Road

18. The two storey extension would have a set back from the rear building line of 2m and would be set 5.7m away from the plot boundary. The front porch would have a depth of 1m and be set 3.5m away from the plot boundary. The extensions would result in no undue amenity impacts to this neighbour.

#### Conclusion

19. The proposed development would not result in any unacceptable amenity impacts on any neighbouring properties, complying with the tests set out within SPD4, and the overall aims of Policy L7 of the Trafford Core Strategy and national guidance in terms of impact on residential amenity.

#### Parking

20. The proposed extension would increase the number of bedrooms from three to four. SPD3 sets out a maximum parking requirement of three spaces for a four bedroom house. One parking space is located at the rear of the plot and, although off road parking is restricted along parts of Moorside Road (including directly outside the application site), there is unrestricted kerbside parking available on Trevor Road (including next to the rear garden of the application site).

21. Therefore, it is considered that the proposed development would be acceptable in terms of parking provision.

#### **DEVELOPER CONTRIBUTIONS**

22. The total additional floor space proposed is approximately 30.40sqm, which at less than 100sqm is not subject to the Community Infrastructure Levy (CIL).

#### **PLANNING BALANCE AND CONCLUSION**

23. The proposed development would result in no harm to neighbouring amenity and would be acceptable in terms of parking provision, in line with the relevant

elements of Policies L4 and L7 of the Trafford Core Strategy and national guidance in these respects.

24. However, due to its height, scale, massing, design and proximity to the side boundary with Trevor Road, it is considered that the proposed extension would result in a cramped and over-dominant form of development that would be out of keeping with the spacious character of the area. Therefore, it is considered that the development would have a detrimental impact on the character and visual appearance of the street scene and the surrounding area, and would fail to comply with Policy L7 of the Trafford Core Strategy and guidance in the NPPF relating to good design.

**RECOMMENDATION: REFUSE** for the following reason:

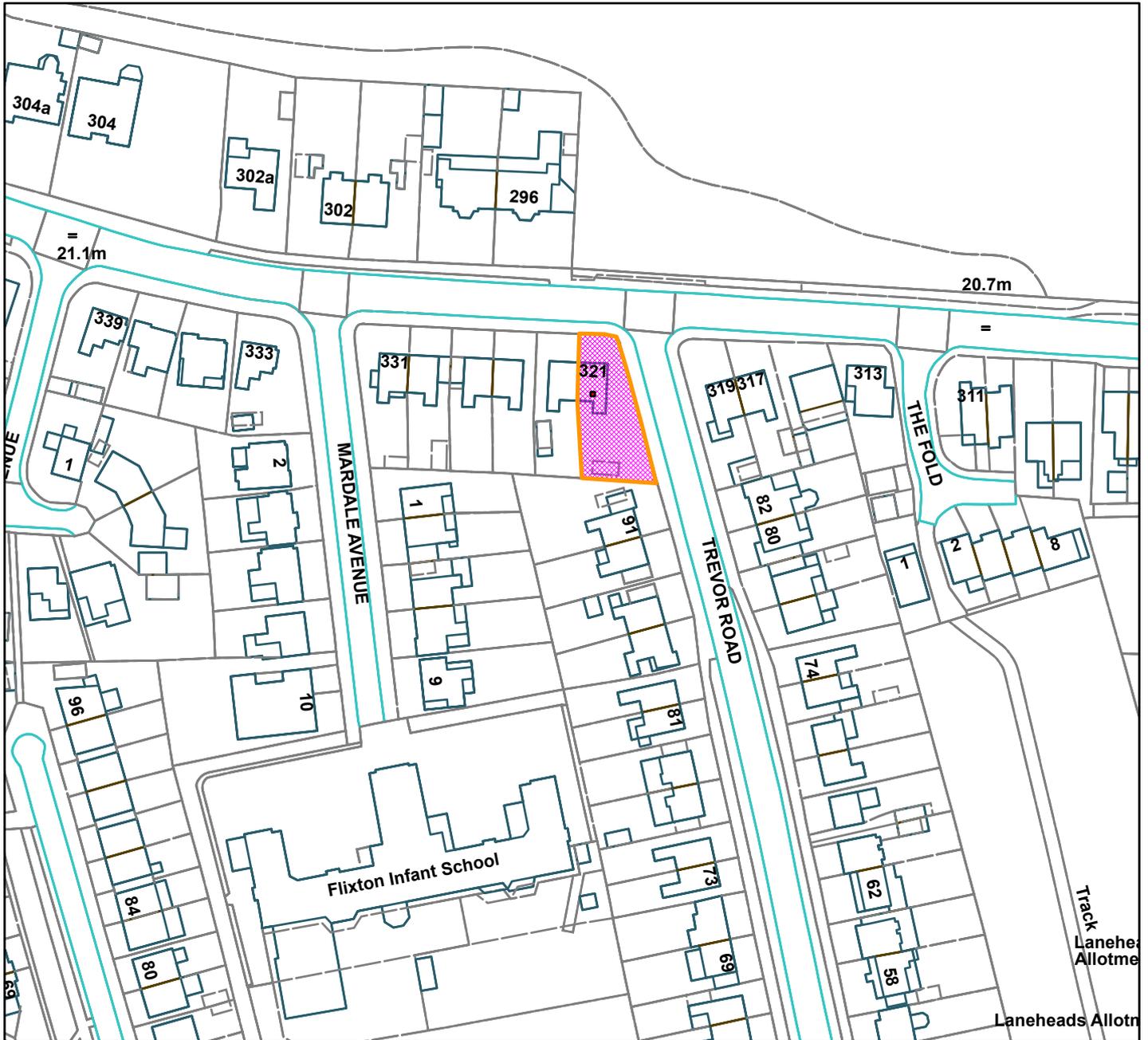
1. The proposed development, by reason of its height, scale, massing, design and proximity to the side boundary with Trevor Road, would result in a cramped and over-dominant form of development that would be out of keeping with the spacious character of the street scene and the surrounding area. As such, the proposed development would have a detrimental impact on the character and visual appearance of the street scene and the surrounding area and would fail to comply with Policy L7 of the Trafford Core Strategy and guidance in the NPPF relating to good design.

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SM



321 Moorside Road, Flixton (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 15/10/2020
Date	06/10/2020
MSA Number	100023172 (2012)